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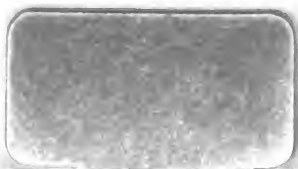




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MARSHALL, MAYOR.

CENTRAL CRIMINAL COURT.

MINUTES OF EVIDENCE,

Taken in Short-hand

BY HENRY BUCKLER.



SESSION VII. TO SESSION XII.

LONDON:

GEORGE HEBERT, CHEAPSIDE.

WILLIAM TYLER, PRINTER, BOLT-COURT, FLEET-STREET.

1840.

THE
WHOLE PROCEEDINGS

On the Queen's Commission of the Peace,

OYER AND TERMINER, AND GAOL DELIVERY

FOR

The City of London,

AND GAOL DELIVERY FOR THE

COUNTY OF MIDDLESEX, AND THE PARTS OF THE COUNTIES
OF ESSEX, KENT, AND SURREY, WITHIN THE JURISDICTION

OF THE

CENTRAL CRIMINAL COURT.

Held on Monday, May 11th, 1840, and following Days.

Before the Right Honourable Sir CHAPMAN MARSHALL, Knt.,
LORD MAYOR of the City of London; Sir Edmund Hall Alderson, Knt.,
one of the Barons of Her Majesty's Court of Exchequer: Sir John Patten-
son, Knt., one of the Justices of Her Majesty's Court of Queen's Bench;
Sir Thomas Coltman, Knt., one of the Justices of Her Majesty's Court of
Common Pleas; Anthony Brown, Esq.; Sir Peter Laurie, Knt.; Sir
John Cowan, Bart.; Thomas Wood, Esq.; John Lainson, Esq.; William
Magnay, Esq.; and Sir George Carroll, Knt.; Aldermen of the said
City: John Mirehouse, Esq., Common Sergeant of the said City; and
William St. Julien Arabin, Sergeant at Law; Her Majesty's Justices of
Oyer and Terminer, and Gaol Delivery of Newgate, holden for the
said City, and Judges of the Central Criminal Court.

LIST OF JURORS.

First Jury.

James M'Nair
Thomas Moor
William Page Gatty
William Pegg
Jonathan Ritches
Frederick William Moor
James Ponsford
Thomas Park Harris
Peter Tagg
William George Beedle
William Burton
Paul Ponting

Second Jury.

Joseph Houghton
Ralph Maydwell
Dyke Barry
Patrick Jeremiah Looby
William Whiting
Thomas Mayres
John William Burrows
William Oliver
William Martlin
John Bright
Edward Oliver
William Hart

Third Jury.

Francis Sales
Henry Burgess Rolph
Thomas Mapps
George Rofy
William Smith
George Northage
Charles Tacker
George Pariah
Joseph Richardson
James Outhwaite
William Northcote
Thomas Mortboy

Fourth Jury.

Christopher Terry Robins
Harry Peak
John Benjamin Stammers
John Rodbet
Henry Oak
John Barnes
George Moseley
Samuel Quested
Henry Saw
Joseph Parker
Thomas Penny
Stephen Underwood

Fifth Jury.

J. Prosser
Thomas Peters
Samuel Nash
Thomas Millichap
Thomas Knight
Andrew Sanderson
Robert Mitchell
James Shackford
Edward Matlock
Edward Milwood
Walter Perry
James Pocock

Sixth Jury.

William Hurnell
Thomas Sayer
Vincent Richards
Isaac Green
Richard Sears
Joseph Marsh
William Mason
John Barton
William Mullens
James Tindall
Thomas Milton
James Ellis

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. SEVENTH SESSION.

A star () denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk † that a prisoner is known to be the associate of bad characters.*

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, May 11th, 1840.*

First Jury, before Mr. Common Sergeant.

1311. WILLIAM READ was indicted for stealing, on the 12th of September, 12lbs. weight of pork, value 7s., the goods of William Burls, in a vessel on the navigable river Thames.

JULIUS BUTCHER. I was cabin-boy on board the brig *Harriet*, in 1837—we had half a side of bacon on board—I had seen it safe one morning in September—the vessel was just coming up the river—three men came on board, who I should know again—I am quite sure the prisoner was one of them—I have never seen him since—I saw them take the pork, put it into their boat, cover it with a handkerchief, and row away—the Custom-house officer was near, and saw them—the captain was not on board, and the sailors were busy at the time—I was on deck minding the ship—the steward was down stairs—I had all the things in the ship in my charge—the pork belonged to the captain, William Burls—I am almost sure the prisoner is the man—I am quite sure he is.

JOHN WHITE (*police-sergeant K 2.*) I was before the Magistrate when the prisoner was examined, in April last—Beal, who apprehended him, is not here—I know Mr. Broderip's hand-writing—(*looking at the examination*)—this is it—I heard the prisoner make this statement, it was read over to him before he signed it—*read—The prisoner says, "I was there certainly."*

Prisoner's Defence. I went on board the ship with the other two men to get tide-work; I asked the pilot if he wanted any hands to get the ship into dock; he said, "No," and I got into the boat again—during this time the waterman rowed out into the stream; he had the meat in the boat, and he put me on shore—I did not know it was taken till I got into the boat.

JULIUS BUTCHER *re-examined.* This was about two years and a half ago—I did not see the prisoner take the pork—he was in the boat while the pork was handed down—we hallooed after the men, and they rowed off as fast as they could—I saw the pork taken—I was by the galley at the time—the men had been on board about a quarter of an hour—they had no business there.

NOT GUILTY.

1312. HARRIET SAWKINS was indicted for stealing, on the 31st

of March, 1 apron, value 1s. ; 1 bed-gown, value 5s. ; 1 shift, value 5s. ; and 1 handkerchief, value 3s. ; the goods of Rudolph Guyar, her master.

MARY ANN GUYAR. I am the wife of Rudolph Guyar, a waiter, in Green-street, Leicester-square. On Tuesday, the 31st of March, I employed the prisoner to wash for me, and missed the articles stated.

Cross-examined by Mr. PHILLIPS. Q. How long have you known her? A. About three months.

EDWARD SLARK. I am a policeman. I took the prisoner into custody, in consequence of information—the searcher gave me two keys—I went to her lodging, opened her box with them, and found the property there.

(Property produced and sworn to.)

(The prisoner received a good character.)

GUILTY. Aged 53.—Confined One Month.

1313. JOHN HILL was indicted for stealing, on the 23rd of April, 1 bit, value 1s. ; 1 bridle, value 1s. : 1 kirting-strap, value 1s. ; 1 belly-band, value 1s. ; 1 crupper, value 2d. ; and 1 horse-shoe, value 1d. ; the goods of Thomas Smith.

THOMAS WILKES. I am groom to Thomas Smith, of Cowley-mill, Hillingdon. I saw these articles safe on Thursday, the 23rd of April—they were brought to me—they belong to Thomas Smith—I had seen them on the premises that day.

Cross-examined by Mr. HARRY. Q. The articles are rather old, are they not? A. Yes, they had hung up in the stable for three months, and had not been used, as we had got fresh harness—I had sold the prisoner two bundles of horse-hair that day for 3d.—it was not Mr. Smith's, it was my own—I combed it out of Mr. Smith's horse—I told Mr. Smith of that—I kept the 3d. myself—there was no talk between the prisoner and me about the harness—the prisoner went out of the stable with me, and I thought he went out of the yard, but I did not see him go out—I cannot say whether he came back—it was about half-past two o'clock.

GEORGE FELTHAM. I am a policeman. About half-past seven o'clock, on the evening of the 23rd of April, I was between Cowley and Drayton, near the railway bridge, and met the prisoner carrying this bag on his back—it appeared rather bulky and heavy—I said, "What have you in the bag"—he said "Nothing but a few rags and bones"—I said, "You have something more than rags and bones here"—he said, "There are some bits of old leather, for which I gave 1s. 6d."—I said, "To whom?" he said he did not know that he was a general dealer, and it was not his business to ask persons questions from whom he bought goods—I took him into custody, and found he had these articles.

Cross-examined. Q. How far was he from the prosecutor's? A. Half or three-quarters of a mile—he said nothing more than I have stated.

THOMAS WILKES *re-examined.* I swear I never sold him any part of the harness.

(Mary Baylis of Uxbridge gave the prisoner a good character.)

GUILTY.** Aged 28—Transported for Seven Years.

1314. ROBERT WIGMORE was indicted for stealing, on the 22nd of April, 1 plane, value 2s. 6d., the goods of Henry Tyrrell Ryder.

HENRY TYRRELL RYDER. I am a carpenter, and live in Tunbridge-terrace. I have lost about 10l. worth of tools—on the 22nd of April I lost this plane—*(looking at it)*—I had left it on a bench in my master's shop.

JOHN CREASY. I am a carpenter, and work for Messrs. Perkins, of Dowgate-hill. About four o'clock on Wednesday, the 22nd of April, the prisoner came into the shop, and asked if Mr. Perkins was at home—I said I did not know, and asked if he wished to see him particularly—he said he did—I went up to the first landing to ask if he was at home—when I came down the prisoner was gone, and the plane also—it was there when I went up—a woman gave me information—I ran out, and overtook the prisoner with the plane.

(The prisoner pleaded poverty.)

GUILTY. Aged 35.—*Recommended to mercy.*—Confined Three Months.

1315. ARTHUR BLACKMORE was indicted for stealing, on the 5th of May, 1 handkerchief, value 3s., the goods of John Watkins, from his person.

JOHN WATKINS. I am a surgeon, and live in Newgate-street. About a quarter-past nine o'clock at night, on the 5th of May, I was near Bow-church, Cheapside, walking fast—I felt a tug at my coat-tail, turned round, and took hold of the prisoner, who had my coat-tail in one hand and my handkerchief in the other—I took hold of his arm, and he had the handkerchief in his hand—he dropped it, and said I was mistaken—the policeman, who was behind, secured him.

JOHN BYRNE. I am a policeman. I was on duty in Cheapside on Monday night, and saw the prosecutor seize the prisoner by the collar—he immediately dropped the handkerchief, and I secured him.

GUILTY.* Aged 24.—Transported for Ten Years.

1316. WILLIAM GRANTHAM was indicted for stealing, on the 26th of April, 4 trusses of hay, value 10s.; and 2 trusses of straw, value 2s.; the goods of Lewis Rose, his master.

LEWIS ROSE. I live at Whitewater, Berks; the prisoner was my servant. On Saturday, the 18th of April, I ordered him to take a load and a half of clover hay on Monday morning, the 20th, to Mr. Chancellor, of Kensington, and also a load of straw—on my return I saw it loading, and asked the prisoner whether he had not got more than his complement, as it was a bulky load—he said no, he believed it was perfectly correct—there was one truss for the horse which I allowed—I said, "You have fifty-five trusses, then instead of fifty-four"—he said, "Yes"—there ought to have been thirty-six trusses of straw, but I allowed thirty-nine, on account of my man informing me they were light—there is some straw and hay here, which I believe to be mine, and which was delivered to Mr. Chancellor.

Cross-examined by Mr. HORRY. Q. How long has he been in your service? A. Fifteen or sixteen years—I hired him as a boy—I have maintained his children since he has been in prison, and put them to school.

WILLIAM GRIFFIN. I am a policeman. I was passing the Coach and Horses public-house, at Heston, near Hounslow, on Monday morning, the 26th of April, about six o'clock, and saw the prisoner on a wagon, loaded with straw and clover hay—I saw him put off a truss of clover hay, and two trusses of straw—I followed him with the second truss towards the stable—he came out of the stable, and shut the door after him—he looked confused at seeing me—I opened the stable-door, and said, "What are you going to do with this hay and straw?"—he said, "We will have no bother about it; the straw is all wrong, I will put it on the wagon again"—there was a ladder standing against the wagon, I got up, and found the cords all loose

—he followed me with a truss of straw, to put on the load again—I would not allow it, and asked him what quantity of hay his master allowed him for his horses—he said, “Two trusses of hay, besides a feed of corn”—when I went into the stable I found three trusses of hay—I said, “Here are three trusses; this last I saw you bring in does not resemble the other two”—he said, “Yes, they are all the same, it all came out of the rick”—I pointed to one particular truss, and said, “This is the truss I saw you bring in, and these two trusses of straw, and I suspect there is some more to come off the load”—I took him into custody, and a constable went to see the straw and hay unloaded.

Cross-examined. Q. It was quite day-light? A. Yes—he said nothing about the straw in the stable being wet—when I followed him he was taking the second truss of straw in, and his horses were put up in the stable at the time, taking their beans—he said he took the two trusses of straw to put under the horses—the trusses were not untied, but put into the manger.

REUBEN HALL. I am a policeman. I was on duty at Hounslow on the 20th of April, about a quarter before six o'clock in the morning, and saw the wagon near the stable-door, and the prisoner on the top—he put off two trusses of hay, then took up two trusses of straw, and looked round him each way—he saw Griffin, I think, come out of the station-house, and he put down the trusses again, and got off the load—about six o'clock, or soon after, he got on the wagon again, and put off a truss of clover hay and two more trusses of straw—he got off the load, and I went to the stable and took him—I found the two trusses of straw in the manger, and three trusses of hay by the corn-bin—I asked what straw that was—he said that had no business there, and he would put it on the load again—I asked what hay that was—he said it was his, that his master allowed him two trusses, and one of the three was wrong, and had no business there—we took the hay and straw to the station-house, and took the prisoner into custody—I followed the wagon to Chancellor's, at Kensington, and found thirty-nine trusses of straw and fifty-seven of hay still on the wagon.

Cross-examined. Q. Where is the station-house? A. About 100 yards from the Coach and Horses public-house—I stopped about three minutes after Griffin went into the stable, but saw no one but the prisoner.

GUILTY. Aged 34.—*Recommended to mercy.*—Confined Six Months.

1317. JOHN AUSTIN was indicted for stealing, on the 18th of April, 1 tea-pot, value 10*l.*; 1 milk-pot, value 2*l.*; 1 pair of sugar-tongs, value 10*s.*; 2 forks, value 10*s.*; and other articles, the goods of Charles Montague Martindale, in his dwelling-house.

ELIZABETH JARVIS. I am cook to Charles Montagu Martindale, and live in Montagu-street, Russell-square, in the parish of St. George, Bloomsbury. I was in the kitchen about ten o'clock, on the 18th of April—I heard a small jink of plate, which induced me to go into the pantry—I saw the prisoner going out, with a bag in his hand—I immediately called out, “Stop thief,” and never lost sight of him till he was secured—the bag contained these articles, except two forks, which were found in his pocket—I saw him throw them out of his pocket in the passage.

Cross-examined by Mr. PAYNE. Q. Where was he taken? A. Opposite Bedford-place—I am sure I saw him drop the forks—I am quite positive of him—the door had been left open for the painters to come in.

HENRY COX. I am a painter, and live in Pitt-street, Tottenham Court-road. I heard the cook give the alarm of a thief in the house—I immediately ran into the area, and saw the prisoner running up the steps—I saw him put down the bag—I took it up, waited till the cook returned, and gave it to her.

Cross-examined. Q. Are you certain he is the man? A. Yes.

THOMAS KERSWELL. I heard the cry of "Stop thief"—I saw the prisoner running, caught him in Russell-square, and brought him back.

GUILTY. Aged 23.—Confined Nine Months.

1318. JAMES TASKER was indicted for stealing, on the 7th of April, 1 handkerchief, value 2s., the goods of Leithman Howard, from his person.

LEITHMAN HOWARD. I am a wholesale druggist, and live in Cannon-street. On the 10th of April, about one o'clock in the afternoon, I was in Threadneedle-street, and missed my handkerchief—this is it—(*looking at it*)—I received information, and Mr. Howard pointed out the prisoner, who was secured by a Mr. Hoare—I went up to him—he denied having taken it, but several people said, "You had better give the gentleman his handkerchief," and he then took it from his pocket, and gave it to me.

JOHN HOWARD. I live in Threadneedle-street. I was standing at the door of my shop, and saw the prisoner put his hand into the prosecutor's pocket, take the handkerchief, and go away with it—I told him to stop, but he ran away—he was stopped, and produced it from his pocket.

Prisoner's Defence. I was coming over the water; two boys dropped the handkerchief, I took it up, and put it into my pocket.

GUILTY.* Aged 19.—Transported for Ten Years.

NEW COURT.—Monday, May 11th, 1840.

Fifth Jury, before Mr. Sergeant Arabin.

1319. JOHN DORSETT was indicted for breaking and entering the dwelling-house of Ann Hazlewood, on the 11th of November, at St. Pancras, and stealing 2 paintings and frames, value 10s.; 11 shirts, value 3l.; 4 petticoats, value 12s.; 3 shifts, value 9s.; 4 collars, value 4s.; 2 table-cloths, value 6s.; 1 toilet cover, value 1s.; 1 basket, value 9d.; and 1 habit-shirt, value 3s.; her goods.

ANN HAZLEWOOD. I am a widow, and live in Milton-place, Euston-square. The house is let in lodgings—I rent the two parlours—the landlord does not live on the premises—between seven and nine o'clock in the evening of the 11th of November I was down in the wash-house, and a lodger informed me that the street-door was open—I went up into my apartment—I had left my room-door shut at seven o'clock—I had fastened it myself, and the street-door was shut, and the property all safe in the parlour—my door would not open of itself—when I opened the door, and looked about my room, I missed all the articles charged in the indictment—the officers discovered them the same evening—I do not know the prisoner.

ROBERT MOORE. I lodged in this house at that time—I left the house at a quarter before eight o'clock, and returned in three quarters of an hour, and found the door open—when I went out I shut the street-door, and tried that it was fast—I informed the prosecutrix.

C

GEORGE COLLIER (*police-constable E 38.*) On Monday, the 11th of November, I and Sergeant Pocock had been watching the prisoner's house in Cromer-street, from eight o'clock—(he had been a policeman)—his wife came and looked continually at the street-door, and a little after nine o'clock I saw a man, who I believe to be the prisoner, go into the house with a basket—his wife was at the door, and they went in together—in a minute or two he came out, and crossed over from his lodging to the place where I and my brother officer were—seeing him coming, we ran away, and got down into a court to conceal ourselves—while I was going my brother officer said, "George, come back, there is no thoroughfare"—we then watched the prisoner—he went to his own door, and was talking to another man—he said, "Pocock and Collier are watching me, for I heard Pocock say, 'George, come back, there is no thoroughfare'"—the prisoner said, "They think I have got a *swag* to-night, but they shan't have it"—(a *swag* means a quantity of stolen property)—he turned round, and went up Cromer-street, away from his lodgings—I and my brother officer consulted together, and went from there to Maiden-lane, Battle-bridge, we concealed ourselves behind a gate, and in ten minutes the prisoner's wife, Jemima Dorsett, passed us with a large bundle, nearly as much as she could carry, under her cloak—we watched her go into No. 22, Ashby-street, Somers-town—after watching about ten minutes, she came out without the bundle—I then stopped her—I went and searched the room, and found the bundle, containing all the articles stated—after coming from No. 22 to the corner of the street, I saw the prisoner and another man, named Lewis, (who has been tried and convicted,) in a court that leads to No. 22—I took Lewis, and the prisoner turned and ran away—I have been looking after him ever since—I took him on the 24th of April at Speenham Land, about half a mile from Newbury, in Berkshire—I found on Lewis eleven skeleton keys, and one of them undoes the prosecutrix's door, and at the prisoner's lodging I found some more drop-latch keys and other keys.

THOMAS POCOCK (*police-sergeant F 13.*) I was watching with Collier near the prisoner's lodging—I can swear he is the man that went into his house, No. 32, Cromer-street, in company with another man—he had a basket on his shoulder—he came out in four or five minutes, and came towards Collier and me—we ran down a court—Collier was before me—I called, "George, George, there is no thoroughfare"—I returned, and heard the prisoner say to another man, "That is Pocock, I can swear to his voice; they think I have a *swag* to-night, but they shan't have it"—soon after I saw his wife come out, with something bulky, we went across a near way, and saw her go into a house in Ashby-street, after she came out she was stopped, and Lewis and the prisoner came up—Lewis was taken, and the prisoner escaped—in searching the room in Ashby-street, in a cupboard on the ground-floor I found all the linen, quite wet—I was not present when Collier took the prisoner, but I have been looking after him ever since.

WILLIAM WINSBURY (*police-constable N 315.*) On Tuesday, the 12th of November, about nine o'clock, I was informed a basket of linen was in the dust-hole of the prisoner's house, in Cromer-street—I went there, and found two shirts, a table-cloth, a toilet-cover, two shifts, and other articles.

JOHN RANDOLL. I am a carpenter, and live at No. 22, Ashby-street—Lewis and his wife came to lodge with me on Saturday, the 9th of November, and occupied the second pair front-room—he was there till the Mon-

day following, when the officer came and took Mrs. Lewis and Mrs. Dorsett—Mrs. Lewis took the apartment, and Mrs. Dorsett was there on Monday evening about nine o'clock.

Prisoner's Defence. I throw myself on the mercy of the Court; I have a wife and children, and have been working hard at 12s. a week in the country.

(See First Session, page 136.)

GUILTY. Aged 29.—Transported for Fifteen Years.

1320. **HARRIETT BIRD** was indicted for stealing, on the 15th of April, 1 pewter pot, value 1s. 3d., the goods of Harold John Holmes; and that she had been before convicted of felony.

HAROLD JOHN HOLMES. I keep the Turk's Head public-house, in Turnmill-street, Clerkenwell. On the 15th of April the prisoner was at my house, and when she went out I suspected her and went after her—she had got five paces off—I asked her what she had been doing, and felt her side, and felt a pot under her clothes—I gave her into custody—this is my pot.

Prisoner's Defence. I was there all day, and in the evening I borrowed the pot to get a child a little water; in coming back a person beckoned me out; I was but two or three steps from the door, speaking to this woman; the prosecutor came out, and I said I had nothing belonging to him; he gave me into custody; the pot was under my apron; I had no thought of taking it.

HAROLD JOHN HOLMES. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(read)—the prisoner is the same person.

GUILTY.* Aged 45.—Transported for Seven Years.

1321. **JAMES RUSS** was indicted for stealing, on the 25th of March, 2 tea-pots, value 10l. 15s.; 2 tea-pot bodies, value 9l. 17s.; part of a kettle-stand, value 2l. 8s.; 1 lamp, value 2l.; 2 sovereigns, 1 half-crown, 1 shilling, and 1 sixpence, the property of James Charles Edington: to which he pleaded

GUILTY. Aged 16.—Transported for Seven Years.—Convict Ship.

1322. **WILLIAM SAVILLE** was indicted for stealing 4 reams of paper, value 3l. 3s., the goods of William Magnay and another; to which he pleaded

GUILTY.* Transported for Seven Years.

1323. **TIMOTHY CONWAY** was indicted for stealing, on the 5th of May, 43lbs. weight of lead, value 8s. 6d., the goods of Stephen Bird and another, his masters.

JOHN BRAY. I live in the service of Stephen Bird and another, builders, at Kensington; the prisoner was in their employ. On the 5th of May, about eight o'clock in the evening, he came in to me to take his time—I objected to take it, not knowing with whom he had been at work—he left the office, and went down the yard—he came up again in a few minutes, with this lead partly under his apron—I called to him to stop—he endeavoured to conceal the lead between two stacks of bricks, and tried to cover it over with the bricks—I told Mr. Bird—he came with me to where the prisoner was standing with his back to the lead—he pulled him away, and, on seeing the lead, desired me to fetch a policeman—this is the lead,

there is 43½lbs.—he had no right whatever to have it—he had not been at work since dinner-time, and had no right on the premises after that time.

HENRY BIRD. I am one of the partners in the firm. The prisoner had been in my service three years—he had no right to have possession of this lead—what has been stated is true—I think he was drunk.

RICHARD HILL (*police-constable T 113.*) I took the prisoner, and found the lead near some bricks—I asked how he came to take it—he said he intended to steal it—I asked what he was going to do with it—he said, to take it home, and, if any thing was wrong, to work it out.

Prisoner's Defence. I knew nothing about it till next morning.

GUILTY. Aged 35.—Confined Six Months.

OLD COURT.—*Tuesday, May 12th, 1840.*

Second Jury, before Mr. Common Sergeant.

1324. THOMAS LAROCHE was indicted for feloniously assaulting Charlotte Augusta Sarah Charles, on the 9th of April, putting her in fear, and stealing from her person 1 bag, value 8s.; 1 handkerchief, value 1s. 6d.; 1 key, value 6d.; 1 purse, value 8d.; 1 sovereign, and 1 shilling; her goods and monies.

Mr. BALLANTINE conducted the Prosecution.

CHARLOTTE AUGUSTA SARAH CHARLES. I live in Hampstead-road. On Thursday afternoon, the 9th of April, about half-past three o'clock, I was walking opposite St. Giles's church, and saw the prisoner staring at me very hard—he was with another man—I am certain of the prisoner—I observed his features and appearance at the time—when I got opposite Laurence-street he came up to me, and pulled hold of my bag—the string was twisted round my finger several times, and I held it in front of me—he pulled at it three or four times—the string then broke, and he ran up Laurence-street with the bag—it contained a purse, a sovereign, one shilling, a pocket-handkerchief, and a key—I went into a shop, and asked them to send for a policeman—they did so—I gave him a description of the prisoner, and about half-past five o'clock the policeman brought him to my house—I knew him again directly.

Cross-examined by Mr. PAYNE. Q. What were you doing when you saw the person looking at you? A. Walking along the street—I saw him look at me very hard—I had never seen him before—the bag was taken about three minutes after—there were people passing, not a great many—it is a great thoroughfare—I swear positively that the prisoner is the man—I looked at him very much when he looked at me; and when he took my bag of course I saw his features, and could recognize them—I was rather agitated.

GEORGE JOHN RESTIEUX (*police-constable E 49.*) I received information at the station-house, with a description of a person, in consequence of which I apprehended the prisoner at a quarter before five o'clock—I told him what he was charged with—he said he could prove he was at Holborn-hill at three o'clock—I took him to the residence of the prosecutrix, and she identified him directly.

Cross-examined. Q. He denied he was the man, did he not? A. He did—I found him in Broad-street, St. Giles's, near the corner of King-street—I have found no property—I received the information at four o'clock,

MISS CHARLES re-examined. It was about half-past three o'clock when my bag was taken—I had seen a clock a few minutes before—the prisoner was dressed as he is now, and he was dressed the same when brought to me, but I know him by his features also, and his whole appearance—I am quite positive of him.

GUILTY. Aged 25.—Transported for Ten Years.

Third Jury, before Mr. Common Sergeant.

1325. **HENRY RIDLEY** was indicted for stealing, on the 27th of March, at St. Marylebone, 8 pen-holders, value 20*l.*; 1 paper-cutter, value 2*l.*; 1 pencil-case, value 3*l.*; 4 seals, value 7*l.*; 1 vinegarette, value 1*l.*; 6 bottles, value 5*l.*; 1 ink-stand, value 11*l.*; 1 coat, value 4*l.*; and 1 pair of boots, value 10*s.*; the goods of Charles Baron Colchester, in his dwelling-house.

MR. CLARKSON conducted the Prosecution.

CHARLES LORD COLCHESTER. I am an English peer, and reside in Great Cumberland-place, in the parish of St. Marylebone. On the 26th of March I retired to bed about half-past eleven o'clock—I had been sitting the latter part of the evening in the back drawing-room—when I went to bed I left the butler to extinguish the lights and see the house fast—I believe nobody else was up—I went into my study to put away some papers, the last thing before I went to bed—I had a silver inkstand on the study table, which, I have no doubt, was safe that evening—if it had not been, my attention would certainly have been called to it, as it is a small table, and I had occasion to go round the table—there were three ornamental pen-holders in the back-drawing-room, mounted with gold—the stem of one was blood-stone, and another cornelian—the three were worth more than 5*l.*—the ink-stand was solid, and ten or eleven inches long—the articles stated are altogether worth 30*l.* or 40*l.*—I had been sitting on the sofa—the table on which the pen-holders were was immediately opposite the sofa.

Cross-examined by MR. PAYNE. Q. I do not understand that you had a distinct recollection of seeing the inkstand when you went to bed? A. No; but if it had not been there, my attention would have been called to its absence—I have a distinct recollection of seeing the pen-holders in the drawing-room—I had used the ink-stand in the course of the day.

JAMES DELL. I am butler to Lord Colchester. On Thursday, the 26th of March, the prisoner called at the house, between three and four o'clock in the afternoon, and said he wanted to know if the kitchen chimney wanted sweeping, and that he came from Mr. Tozer—I sent him to the housekeeper, who was in the kitchen—at night his lordship called me to take the lamp away—I went to bed at a quarter to twelve o'clock, leaving every thing safe—I was awake about half-past four o'clock in the morning, by a violent ringing at the area-bell—I got up, found the prisoner there, and another man with him—I wished to know why he rang the bell so often and so violently—he said he was very busy, and had other places to go to—I let them in, and gave them a light—they went into the kitchen—I left them there—I am sure the prisoner is the man—I knew him well before—I went to my sleeping-room, which is immediately opposite the kitchen, and put on some of my things; I then went up stairs to call the maids, then came down and went to bed—the gas light in the fanlight of the hall-door was burning at that time, and there is a window which throws a borrowed light from the passage on the fire-place—while I was in my room I heard somebody in the kitchen—I looked through the pantry window, which looks from my room

into the kitchen, and saw one of the persons busy, apparently, before the fire-place, but only one of them; and while in my room I heard somebody go along the passage, which I supposed to be one of the maids—about half an hour after the prisoner came and knocked at my door, and said he wished to be let out, as I had locked the area-gate, and taken the key—I saw his companion in the area at that time—when I let them in they had an empty bag—when I let them out, I cannot precisely say which had the bag, but they had it with them, and it appeared to be full—they wanted some beer, which I could not give them—I suspected nothing, and let them out—neither of the servants had come down stairs at the time I let them out—nobody had an opportunity of coming into the kitchen except those two men—when I locked them out I went to bed, and remained there till half-past seven o'clock—I then went up to his lordship's dressing-room, which is on the ground-floor—the under house-maid gave me an alarm, and I then missed the silver ink-stand from his lordship's writing-table in the study, and a great-coat from a stand in the same room—I had seen them safe about eight o'clock the evening before—I also missed a pair of boots from the passage leading to the kitchen—they must have passed through that passage to go out—in consequence of what was said afterwards, I examined the lower part of the chimney, but did not look up it sufficiently to say whether it had been swept.

Cross-examined. Q. You cannot tell which of them had the sack? A. No; nor which it was I saw in the kitchen when I looked through.

MARY FRANKS. I am his lordship's housekeeper. About eight or ten days before the robbery the prisoner came to the house and asked me if the kitchen chimney wanted sweeping—I told him it did not, and when it did I would let Mr. Tozer know—I told him to ask Mr. Tozer if he could sweep the chimney with a machine, for it was Lady Colchester's wish that it should not be swept by the boys—he said, "Very well," and went away—on the day before the robbery he came again, and asked if the chimney wanted sweeping—I said it did, and asked if he had inquired of Mr. Tozer if he could sweep it with the machine—he said he had done so, and Mr. Tozer could not do it, unless Lady Colchester had two draft-holes made on the outside of the chimney—I told him the chimney smoked very much, and I would have it done by the boys in the morning—he asked at what time he should come—I said, "Half-past five o'clock"—I went down next morning at five o'clock, or twenty minutes after—the men had then gone—I found the kitchen-maid in my room—I looked at the kitchen chimney, and it had not been swept at all—I put a candle up, and opened all three of the flues, and there had been no soot taken from them.

Cross-examined. Q. What sort of examination did you make? A. I put a light right up the chimney, and I think no boy could have passed there without disturbing the soot, and there was a plate of iron which they must push up, and there was soot hanging on it.

MR. CLARKSON. Q. Are you able to state whether it was swept or not? A. I am able to say it had not, except just where it had been swept on the hobs.

GRACE BAKER. I am upper house-maid to the prosecutor. On Friday morning, the 27th of March, Dell came up-stairs to call the servants—I was down a little after five o'clock—I went to the sink-room—I was not there long—I went to the small drawing-room, and opened the shutters,

then I opened the large drawing-room shutters, then the front drawing-room, and afterwards the back drawing-room, and then went to his lordship's dressing-room on the ground floor—I did not stay there many minutes—I went back to the drawing-room, and went to my work there—when the clock struck seven I went up to Lady Colchester's room, and then went down stairs to the lower apartment, and from the table in the large back drawing-room I missed the pen-holder, the vinegarette, a gold box, a paper knife, a scent-bottle, and a bundle of gold seals—I had not left the drawing-room from five to seven o'clock—nobody could have been there—there is only one staircase to the house—on missing the articles I went down to the housekeeper, and found the kitchen-maid there.

Cross-examined. Q. Did you miss the things after you came down from her ladyship's room? A. I missed them before, but thought her ladyship might have taken them up.

ELLEN DOWLING. I am the kitchen-maid, and sleep with the house-maid. On the Friday morning I got up at a quarter-past five o'clock, and went to the kitchen—the sweeps were then gone—I was there rather more than ten minutes, before any body came down—nobody came there but the servants—there was less dirt than sweeps usually make in the kitchen—I looked at the kitchen as I thought they could not have half-swept it from the little dirt there was, and found it had been swept just at the bottom part, but the ash-pit had not been emptied as usual, nor the flues—I mentioned it to Mrs. Franks—she sent to fetch the sweeps back, but they had left.

CAROLINE MARSH. I was living in the house—I came down about six o'clock, and missed the ink-stand about half-past seven o'clock—nobody could have got into the house except the sweeps.

RICHARD TOZER. I am a master-sweep, and live in Adam's-mews, Berkeley-street. The prisoner had been in my employ, and had left me a fortnight the very day before the robbery—I did not direct him to go to Lord Colchester on the 26th of March to inquire about the chimney—he never came to tell me her ladyship wished the chimney swept by a machine—I never told him to say it could not be done unless two draft-holes were made outside the chimney.

Cross-examined. Q. I believe he lived with you about a year and two or three months, three years ago? A. He did.

GEORGE THORNTON (*police-constable D 109.*) I accompanied Linley to the Great Mogul public-house, in Drury-lane, on the 31st of March, and found the prisoner there, in company with another man, and two females, a little after ten o'clock—Linley said, "Come out"—I said, "Yes, come into the parlour"—he said, "Very well," and the other man said something likewise—he came out into the parlour, and said, "What is it you want me for?"—Linley said, "For the robbery in Great Cumberland-place"—he said, "I know Cumberland-place; if that is all you want me for you can make nothing of that now"—that was while Linley was putting the handcuffs on the other.

WILLIAM LINLEY. I am a police-sergeant. I went with Thornton to the Great Mogul public-house, found the prisoner, and told him I wanted him—he said, "What for?"—I said, "For the robbery at No. 8, Great Cumberland-place"—he paused for half-a-minute or so, and said directly, "If that is what you want me for I don't mind; you can make nothing of that now"—I took him into custody—I found 2s. on him and a letter

—on Friday, the 27th of March, the morning the robbery was committed, I was in Portman-square, near Great Cumberland-place—I knew the prisoner well, and saw him that morning, between eight and nine o'clock, at the corner of Portman-square, in company with a person named Leonard—he had sweep's clothes on, and had a bag with him, apparently full—when I took him I found this letter on him.

(*Read*)—"March 30th, 1840—Dear Henry, I send my kind love to you, hoping to find you well, as this leaves me as well as can be expected. Dear Henry, I hope you will not venture up here again; but if you will meet me next Monday night, I will be there at eight o'clock. Dear Henry, I am surprised at your not keeping it more secret where you are, from the chaps up Paddington. I must conclude, with love from your well-wisher,

"ANN HOLDER."

WILLIAM LINLEY *re-examined.* Paddington is near Cumberland-place.

THOMAS PEACOCK. I am a mechanical chimney-sweeper, and live in Chester-mews. I was sent for on the 31st of March to Lord Colchester's, and swept the chimney with a machine—from the quantity of soot got out it certainly had not been swept on the 26th of March—it was very foul.

Cross-examined. Q. It was necessary to make some alteration before it could be swept by a machine? A. It was.

GUILTY. Aged 22.—Transported for Fifteen Years.

1326. GEORGE GRAVES was indicted for stealing, on the 16th of April, 36lbs. weight of lead, value 4s. 6d., the goods of Thomas Chandler, his master.

THOMAS CHANDLER. I live in Bow-lane, Cheapside. The prisoner was in my employ, and was at plumber's work, in Bread-street—I lost a quantity of old lead from there—I have compared the lead produced with the premises in Bread-street, and believe it came from there.

GEORGE CAPON. I am a policeman. I was in Doctors' Commons on Thursday, the 16th April, about half-past eleven o'clock in the morning, and saw Mr. Chandler's cart come up to a lead-warehouse in Little Knight Ryder-street—they unloaded some old lead there, and had some new lead to take back—I saw the prisoner had something very heavy in front of him—I followed him down Fish-street—he turned into Bread-street, but went by the building where they were at work, and turned down Watling-street—I stopped him there, and asked him what he had got in front of him—I unbuttoned his waistcoat, and found this lead inside his trowsers—I pulled it out—I fitted it with the lead at the house in Bread-street—it corresponded with the other lead.

GEORGE EDIS EVANS. I am a policeman. I fitted the lead—it corresponded in every particular.

GUILTY.** Aged 48.—Transported for Seven Years.

1327. ROBERT DAVIS was indicted for embezzlement.

SOPHIA MARTIN. I am the wife of Samuel Martin, a licensed victualler in Coleman-street. The prisoner was our pot-boy—it was his duty to pay what money he received every night—if he received 1l. 0s. 4d. on the 3rd of January from Clark, he has not paid it to me—my husband was at home that day—he does not generally take money from him—he was not taking money that day—the prisoner asked leave to go out that day, and never returned—I saw nothing more of him till he was in custody, which was about two months afterwards.

Prisoner. I asked her to settle with me before I went out, but she said she had no time to do so then—I went out, met some friends, got intoxicated, was robbed of the money, and was ashamed to return—my father offered to pay Mrs. Martin back, but she said it should not be settled. *Witness.* He did not ask me to settle with him—none of his friends have offered to pay the money—his father has not been to me.

JESSE CLARK. I am a sergeant in the Coldstream Guards. On the 3rd of January I paid the prisoner a sovereign for his master, and 4d. for some bread and cheese—he brought it to the Bank-guard, where I was that night.

MRS. MARTIN re-examined. We serve the Bank-guard with refreshment.

Prisoner. Q. Did I not settle with you every night? *A.* No—sometimes you had not sufficient money to do so—we never stopped it out of your wages—I have let you pay it at other times, to accommodate you, but you ought to have paid every night—this is the third prosecution we have had for similar offences.

(The prisoner received a good character.)

GUILTY. Aged 19.—*Strongly recommended to mercy.*—Confined Ten Days.

NEW COURT.—Tuesday, May 12, 1840.

Sixth Jury, before Mr. Sergeant Arabin.

1328. **GEORGE GIBBONS** was indicted for stealing, on the 30th of March, 1 truss of hay, value 2s. 6d.; 1 bushel of barley, value 4s.; 1 sack, value 6s.; 2 bushels of mixed pollard, oats, beans, and chaff, value 2s.; the goods of William Shore, his master.

WILLIAM SHORE, JUN. I am the son of William Shore, a farmer at Feltham. The prisoner was his labourer and drove his teams—I manage the chief part of the business. On the 30th of March the prisoner was going from Feltham with an empty cart, to get dung at Knightsbridge—he left Feltham a little before three o'clock in the morning I should expect—he had a cart and two horses—he ought to have been back between five and six o'clock in the evening—I tied him up three parts of a truss of hay for the horses—besides that I gave about a bushel of the regular feed, oats, beans, pollard, and chaff—I did not give it out—I allow them take it themselves—he has frequently done so—he had gone up to town two or three times a week—this was amply sufficient for two horses—we never feed with barley, and he had no authority to have any at all—the policeman showed me what was found in the cart—there was a truss of hay that weighed 65lbs.—he had no business with that—that did not include the three parts of a truss—there was about two bushels of mixed corn over the bushel that was allowed, that he had no right to, and a bushel of barley—there was a sufficient quantity to bait them three days.

HUGH SANDILANDS (police-sergeant S 27.) I met the prisoner driving his master's empty cart on the Staines road, going towards London—I saw he had some hay on the side of the cart, and a sack in the cart—I asked the boy who was driving where they were going—he said, to Knightsbridge—I thought all was not right—I detained him, and gave information—the barley was in the bottom of the sack, and the mixed food was above it—

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there was nothing to prevent their mixing together—I asked the prisoner how he came to have so much hay—he said he was allowed to take what he thought proper, that his master tied some of it up, and he allowed him to take what bait of corn he liked.

Prisoner. I took it to give the horses.

GUILTY. Aged 18.—Confined Six Months.

1329. SAMUEL EAGLE was indicted for stealing, on the 1st of May, 1 10*l.* Bank-note, the property of Arthur Edward Somerset.

ARTHUR EDWARD SOMERSET, Esq. I am a barrister—my chambers are in Pump-court, Temple—I left them on the 30th of April, about four o'clock, and left my note book there with a 10*l.* note in it, which I had received from Messrs. Hoare's, my bankers, two days before—I returned next morning about half-past twelve o'clock—the book was there, but the note gone—I sent to the Bank of England as soon as I got the number—I did not know the prisoner.

Cross-examined by Mr. PHILLIPS. *Q.* You have a laundress. *A.* Yes—she is no connexion of the prisoner's that I am aware of—I believe she employs a child who is the prisoner's daughter, and that child had access to my chambers—she is about thirteen or fourteen—I have not been in my chambers long—my landlord, Mr. Dickenson, employed the laundress—when I came the next day I found the door just as I had left it.

JURY. *Q.* Did you lock your chambers? *A.* No; the boy generally locks them—there were other people about.

ANN MASKELL. I am a friend of Mr. Finch, who keeps a wine-vaults in Middle-row, Holborn—the prisoner came with a 10*l.* note for a bottle of white wine—I served him—I gave him the note and a pen and ink to write the name and address on it—this is the note—(*looking at one*)—I gave it to our young man to take it to the Bank and get changed.

Cross-examined. *Q.* It was the prisoner that wrote on it? *A.* Yes.

THOMAS PHILLIPS. I am a clerk in the Bank. This note was paid at the bank on the 1st of May.

JOHN CLUTTERBUCK. I am a clerk in the house of Hoare and Co. I paid that note to Mr. Somerset himself.

(James White, a broker, in Clement's-lane, gave the prisoner a good character.)

GUILTY. Aged 39.—Transported for Seven Years.

1330. PHILLIP THOMSON and MARY THOMSON were indicted for stealing, on the 17th of April, 10*lbs.* weight of beef, value 5*s.*; 2*lbs.* 15*oz.* weight of cheese, value 1*s.* 6*d.*; 3 loaves of bread, value 1*s.*; 1½*lb.* weight of bacon, value 6*d.*; and 5*oz.* weight of butter, value 3*d.*; the goods of John Francis Adams; to which Phillip Thompson pleaded

GUILTY. Aged 27.—Confined Six Weeks.

Mr. PAYNE conducted the Prosecution.

JOHN FRANCIS ADAMS. I am a solicitor, living in College-street, Islington—I saw this beef and cheese, bacon, butter, and three loaves of bread produced at the station-house—they are worth altogether 8*s.* or 10*s.*—I had bought the beef the day before—I had seen it cut, myself—I do not know either of the prisoners.

AMELIA MARGARET WARBOYS. I am the prosecutor's servant—I received information from the officer about six o'clock in the morning, and missed the butter and bacon from the safe in the front area, and the meat from

the top of the safe, and the bread from the pan—I saw the meat at the station-house—I saw them safe the evening before at half-past nine o'clock.

TIMOTHY DALY (*police-constable N 65.*) I was in College-street at half-past five o'clock on Friday morning, and saw the prisoners—they had nothing with them that I could see—the man was walking about five or six yards before the woman—I saw them again about five minutes before six o'clock, going towards Islington church, with each a parcel—I had suspicion—the woman was the first I came to—I asked what she had got—she said, meat, which she had brought from Seward-street—I asked how far was that—she said, “A little further on”—I asked if she did not pass up College-street—she said, no, I was mistaken—I asked if the man was her husband—she said he was—I then asked him what he had got, and he said, “Some victuals”—I took them to the station-house, and found the woman had a sirloin of beef, and on her husband I found two pieces of butter, and the other things—I do not know whether they are married—I sent for a female, and had the woman searched—on her were found twenty duplicates, but no money on either of them.

NOT GUILTY.

1331. CORNELIUS MURRAY was indicted for stealing, on the 4th of May, 1 half-crown, 2 shillings, and 1 sixpence, the monies of John Levy.

JOHN LEVY. I am a stationer, and live in Aldersgate-street. On the 4th of March, between one and two o'clock, I had left my counter, not more than two or three minutes, and sat down to dinner, opposite the shop door—I saw the prisoner come in—my wife went out, and called, “Thief”—I went out, and saw the prisoner leaning over to the till, put his hand in, and take the money out—he ran out, I after him—I never lost sight of him—he ran into Charterhouse-square—he took the right-hand side of the square, and I the left—I called out—the beadle shut the gate, and he was stopped—I counted the money that was in the till five minutes before—I never got my money—I lost the money stated.

GEORGE CULL. I live in Falcon-square. I was passing the prosecutor's shop, and saw the prisoner run out, Mr. and Mrs. Levy after him—he ran across the road into the square—I joined in the chase, and kept him in sight till he was stopped.

WILLIAM LEGASSICK. I am a poulterer. I heard the cry of “Stop thief”—I was coming up Charterhouse-square, and ran on the opposite side—the prisoner ran first—I caught hold of him—he asked what I wanted—I looked round, and Mrs. Levy came up, and said, “That is the man”—he wrested himself from me—Cull came up, and we took him.

GUILTY. Aged 22.—Confined Six Months.

1332. JOSEPH HARRIS was indicted for stealing, on the 8th of May, 1 handkerchief, value 4s., the goods of William Hall, from his person.

WILLIAM HALL. I have been at sea, but am now living at Scarborough, and am a ship-owner. On the 8th of May, between ten and eleven o'clock at night, I was walking in Cornhill—I felt my pocket lightened—I turned round, and then observed the prisoner close behind me, with my handkerchief in his hand, which he instantly threw away—I took it up, and attempted to take him, but he got from me, and ran off—a policeman pursued him—I lost sight of him, but he was taken almost immediately—I have not the slightest doubt but he is the man—this is my handkerchief—it has my mark on it.

Prisoner. Q. Could you swear I was the man? *A.* Yes.

EDWARD CRANE (*City police-constable, No. 335.*) I saw the prisoner and prosecutor struggling—before I could get up the prisoner broke away, and ran round the Exchange till he got to a court where there is no thoroughfare, and I took him—I had not lost sight of him.

Prisoner's Defence. I was walking along Cornhill; there were two or three gentlemen; I saw the handkerchief on the pavement, and one of them took hold of me; I tried to get away.

GUILTY.* Aged 19.—Transported for Ten Years.

1333. AUSTIN MONTRIO was indicted for stealing, on the 11th of April, 1 coat, value 5*l.*; and 1 hat, value 1*l.*; the goods of James Moore, Clerk.

ROBERT GOLLINGS. I am in the service of the Rev. Dr. James Moore, rector of St. Pancras—he lives in Upper Gower-street. On the 11th of April, about eight o'clock in the evening, I went up and locked the area gate—I saw a light in the front dining-room, and looking round, I saw the prisoner through the window, opening the side-table drawer—he was a stranger, and had no business in the house—I went up stairs, and missed a coat and a hat from the front dining-room—I found the coat at the bottom of the garden, after I came from the station-house—when I first saw the prisoner I went down the kitchen stairs, and he got out at the back window—I did not see him get out, but I saw him running down the garden—the window had been about a foot open before, but I found it quite open—there were one or two more with him—he went across the University-ground, and over to Gordon-square, where the policeman caught him in about ten minutes—I said, “You are the man I saw in the front dining-room”—he never answered me—I found the hat about a yard inside the window, and the coat at the bottom of the wall where he got over—I am sure he is the person—I had looked at him some time—he had no shoes on when he entered—these are my master's property.

Cross-examined by MR. PAYNE. Q. Did you see him enter? *A.* No, but he had no shoes on when he ran down the garden—there are wooden blinds to the parlour window—they come up about a foot and a half—I saw him in the room about three minutes—I ran up directly, after that I went out in the front, and in about ten minutes I saw him in custody.

WILLIAM HUNTER. I live in Somers-town. On this Saturday night, a little after eight o'clock, I was in Gordon-square—I saw two people endeavouring to get over the wall of Dr. Moore's house, one of them succeeded—one was the prisoner, he was the last, he had no shoes on, which attracted my attention—I asked him what was the matter, or words to that effect—he said, “I will have him,” meaning he was pursuing the other one, who had got over and ran away—I followed him and called “Police,” the prisoner immediately ran and jumped over a wall into an enclosure, which he ran across; I lost sight of him, I then went towards Euston-square and met the policeman and Collins—I told them I had seen the prisoner get over the enclosure, and then another officer took him.

Cross-examined. Q. When did this conversation take place? *A.* Immediately on his getting over the wall and coming towards me—I am sure the officer ran after the same person—this did not last above a minute.

HENRY FREDERICK POWELL. I am a porter, and live in Gray's Inn -

lane. I was in Gordon-square, and saw the prisoner running with his shoes in his right hand—I attempted to take hold of him—he clambered up the wall about five feet—the descent on the other side was about fourteen feet—he jumped and fell—the policeman came up and got over the wall, then the prisoner started and another officer took him.

Cross-examined. Q. Did you not lose sight of him? A. Yes, when he got over he went to a stack of bricks—I should have gone after him, but it was too deep—he was taken in that place—it was railed round, he could not get out without opening a pair of gates—I am a wine-cooper and was going about my business.

SAMUEL WALLIS (*police-constable E 147.*) On the 11th of April I was in Georgiana-street—I heard an alarm, and saw the prisoner in the low ground, running with his shoes in his hand; I got over, and he ran off from me, then seeing Powell he turned and fell down, and I took him.

(*Property produced and sworn to.*)

(Joseph Hastings, green-grocer City-gardens; George Potter, an accountant, Britannia-street; and Thomas Gibbons, cabinet-maker, City garden's-place, gave the prisoner a good character.)

GUILTY. Aged 25.—Transported for Seven Years.

1334. ESTHER KEMPTON was indicted for stealing, on the 13th of April, 1 ring, value 15s.; and 1 5l. note, the property of John Hutchinson; to which she pleaded

GUILTY. Aged 26.—Transported for Seven Years.

1335. WILLIAM CANN was indicted for stealing, on the 15th of April, 1 purse, value 6d.; 3 sovereigns, 2 half-crowns, 4 shillings, 1 sixpence, and 1 foreign silver coin, called a dollar, value 4s.; the property of John Thadeus De Lane, from his person; to which he pleaded

GUILTY. Aged 22.—Transported for Ten Years.

1336. ROBERT WINTER was indicted for stealing, on the 4th of May, 1 handkerchief, value 4s. 6d.; of Felix Lankstone, from his person.

FELIX LANKSTONE. On the 4th of May, about half-past twelve o'clock at noon, I was near Holborn-bars, and felt something at my pocket, I turned and accused the prisoner of having my handkerchief, and desired him to give it to me; the moment I said so, he slipped away and ran among the horses and carts, I ran after him and called to the people, and he was stopped just as I got up to him—I saw him throw the handkerchief down, this is it.

Prisoner's Defence. A young lad put the handkerchief in my bosom, I heard the cry of "Stop thief," and threw it down.

GUILTY. Aged 16.—Confined Three Months.

1337. GEORGE COYLE was indicted for stealing, on the 5th of May, 1 half-crown, 9 shillings, 21 sixpences, and 8 groats, the monies of Henry Borton; and that he had been before convicted of felony; to which he pleaded

GUILTY.* Aged 9.—Transported for Seven Years—Isle of Wight.

1338. JOSEPH BURL was indicted for stealing, on the 15th of April, 50lbs. weight of iron, value 2s. 6d.; and 12lbs. weight of steel, value 6d.; the goods of William Biggerstaff, his master.

JOSEPH SHACKLE. I am a police inspector. I fell in with the prisoner on the 15th of April, about half-past eight o'clock at night, coming from towards the prosecutor's premises, carrying something heavy; I asked what it was, he said iron, and he was going to carry it to Whitecross-street—I asked him whose it was, he said his own; he then put it down, and said, "I must tell you the truth, I work for Mr. Biggerstaff, and I took it for some beer"—he said he had a wife and family, and hoped I would not be hard with him.

WILLIAM BIGGERSTAFF. The prisoner worked for me as a wheelwright—I know we had some iron of this description, but I cannot swear to this—the prisoner is the last man I should have suspected.

GUILTY. Aged 31.—*Recommended to mercy by the Prosecutor and Jury.*
Confined One Month.

1339. **JOHN DAVIES** was indicted for stealing, on the 16th of April, 1 purse, value 1s.; 1 pocket-book, value 1s.; and 5 sovereigns; the property of Reginald George Macdonald.

REGINALD GEORGE MACDONALD. On the 16th of April, about half-past five o'clock, I was in the Quadrant in Regent-street, in company with Sir David Baird—I had a Russia leather pocket-book in my coat pocket, containing letters which I wished to show a friend, and in my other pocket a red silk purse containing five sovereigns—I lost them both, and they are lost entirely—I know nothing of the prisoner, only by seeing him collared by the officer.

Cross-examined by MR. PAYNE. Q. How lately before the officer spoke to you, had you felt this property safe? A. A very few minutes, while I was in the Quadrant—Captain Peters and Captain Farley were on before me—Sir David Baird had hold of my arm—there were other persons about—the prisoner was on the same side as I was, against the rails.

HENRY TIPSTAFF (*police-constable C 156.*) I was in the Quadrant on that evening—I saw the prisoner and two others walking behind the prosecutor—I saw the prisoner feel the prosecutor's pockets outside, and then he put his hand into his pocket, and took out first a purse, and then out of the other pocket a pocket-book—he handed them to another, who passed on, and ran to Coventry-street—I ran across the road, but a wagon was passing, and before I could get across, the others got away—I could only take the prisoner.

Cross-examined. Q. Was there not a great crowd? A. No, not on the side the prosecutor was—I told the Magistrate that I saw him take a purse out—this is my signature to this deposition—(*looking at it.*)

(*The deposition on being read, stated that he saw the prisoner take a pocket-book, and hand it to another, but did not mention a purse.*)

GUILTY. Aged 20.—Transported for Ten Years.

1340. **MARY BURRIDGE** was indicted for stealing, on the 5th of March, 1 ring, value 4l., the goods of Emma Miller, (*now Emma, the wife of John Holder;*) to which she pleaded

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Three Months.

1341. **RICHARD PIKE** was indicted for stealing, on the 12th of April, 1 handkerchief, value 2s., the goods of Matthew Edward Greely, from his person; and that he had been before convicted of felony.

MATTHEW EDWARD GREELY. I am a book-binder, and live in Jewin-street. On the 12th of April, between nine and ten o'clock in the evening, I was in Aldersgate-street, at the corner of Hare-court—I felt something, I turned round immediately, and saw the prisoner—he passed from behind me, and went up Hare-court into a house—I got an officer, we went in, and searched two rooms—he was not there—we were going up to the third floor, and met the prisoner coming down—I missed from my pocket this silk handkerchief, which the officer produced the next day.

Cross-examined by Mr. DOANE. Q. Had you had your handkerchief safe shortly before? A. Yes; I had used it at the corner of Jewin-street—I did not meet the prisoner, he was behind me—he was searched, and nothing found on him—there were other persons passing—I know this handkerchief by the mark on it.

THOMAS FOWLES (*City police-constable, No. 138.*) On that Sunday evening, the prosecutor's wife came to me, and said her husband had lost his handkerchief, and the person had ran up the court—I went up the court, went into No. 11, and searched two rooms on the first floor, then went up a second pair of stairs, and saw the prisoner coming down the third pair—I went up stairs and saw a hole, and saw some white on the prisoner's trowsers—he must have got up and thrown the handkerchief out on the leads, as it was found there the next morning.

Cross-examined. Q. Did you see him do it? A. No; but it was found there—the prosecutor said that the man had a frock coat on—that was the only description he gave—I do not know whether it was a lodging-house.

WILLIAM JAMES GODFREY. I went with the officer the next morning, and found the handkerchief.

CHARLES SIMMONS. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY.—Aged 21.—Transported for Fifteen Years.

OLD COURT.—Wednesday, May 13th, 1840.

Fourth Jury, before Mr. Sergeant Arabin.

1342. JOHN MURPHY was indicted for stealing, on the 12th of April, 1 handkerchief, value 1s., the goods of George Read, from his person.

JOSEPH HOUGHTON. I am apprentice to Mr. Hill, a cabinet maker. On the 12th of April, about a quarter to nine o'clock in the evening, I was in Aldgate near the church—I saw the prisoner following two gentlemen—I watched him—I was on the opposite side of the way at first—I saw Mr. Read, with a lady, and a young gentleman, going towards Whitechapel church—the prisoner left following the two gentleman, and followed Mr. Read—I ran over the way, thinking he was going to pick his pocket—he put his hand into Mr. Read's pocket, and took out his handkerchief—I took hold of him by the back of his neck, and said to Mr. Read, "You have lost your handkerchief"—he felt, and said he had—I saw the prisoner throw the handkerchief away—I gave him to Mr. Read, and went and picked it up, and gave it to Mr. Read—a lot of cab-men from the stand at Aldgate came up and struck me and the prosecutor—they knocked my hat off, and

rescued the prisoner away—I did not leave go of him till I was compelled—he ran down a court, and the policeman took him into custody—he did not get far away—I am positive he is the person.

Cross-examined by Mr. PAYNE. Q. How came you to be looking after pickpockets? A. Because I think it is a person's duty if they see a robbery being committed—I was going home at the time—my attention was first called by seeing him dodging the two gentlemen, and feeling their pockets—there were a great number of people going along—I was on the opposite side of the way—it is a wide place—I saw him taken afterwards on the opposite side of the way to what he was at first—I told the Magistrate about my hat being knocked off, and being struck—I was struck in the chest—this wound on my hand was not done then—that was bitten through by a thief, an errand-boy of my brother's—I dare say there were a dozen cab-men on this occasion—I was not particularly frightened—there was no policeman there at the time I first saw the prisoner, or I should have pointed him out to the policeman—there were some fellows behind the prisoner—he was going towards Aldgate at first, and when he saw Mr. Read, he turned back, and followed him—he was on the butchers' side of the way, and I on the other—I am quite sure the same person I laid hold of was afterwards taken by the policeman—he was taken in about three or four minutes.

GEORGE READ. I am a confectioner. I was walking with my wife and a friend, and passing from Aldgate towards Whitechapel—Oughton asked if I had not lost my handkerchief—I examined my pocket, and said I had—he gave the prisoner into my charge, went back, and picked up the handkerchief—he gave it to me, and I recognised it as my property—while holding the prisoner some cab-men came up, a scuffle ensued, and they rescued the prisoner—he got off—my friend pursued him—I did not see him taken—I saw him at the station-house—he is the same boy—this is my handkerchief—(looking at it.)

Cross-examined. Q. You only saw him for a very short time, I suppose? A. I saw him long enough to know him—I was not at all alarmed by the cab-men—my friend saw him taken—he is not here—I have no doubt about the handkerchief being mine—there is a hole in it.

SAMUEL PARTRIDGE (*City police-constable, No. 643.*) I took the prisoner, and have produced the handkerchief.

GUILTY.** Aged 16.—Transported for Ten Years.

Before Mr. Justice Alderson.

1343. JAMES TOMLEY was indicted for a rape.

NOT GUILTY.

1344. CHARLES ASTELL was indicted for burglariously breaking and entering the dwelling-house of Augustus Parkes Fownes, about the hour of three in the night of the 20th of April, at St. Dunstan in the West, with intent to steal, and stealing therein, 2 shirts, value 1*l.* 5*s.*; 22 scarfs, value 10*l.*; 7 spoons, value 1*l.* 15*s.*; and 1 pair of sugar-tongs, value 10*s.*; the goods of the said Augustus Parkes Fownes and another.

AUGUSTUS PARKES FOWNES. I am a glover, and live at No. 27, Fleet-street, in the parish of St. Dunstan in the West. On the night of the 20th of April I went to bed about twelve o'clock—my servant, Joseph Morris, was the last person up in the house—I left my shop and house quite safe—Morris did not stop up above a minute or two after me—my servant

awoke me in consequence of the police ringing the bell—I got up—it was between three and four o'clock—I sent the boy down to inquire what was the matter—he returned to me—I went down, and found the prisoner in my first-floor room, which is unfurnished—I found the silk scarf and spoons lying on the floor—the scarf had been in the shop the night before, and the spoons in the kitchen—the scarf belongs to myself and my brother Frederick, but he does not live in London—I am the only occupier of the house—the stock and business belongs to myself and brother—I found the doors down stairs broken open—he had come through the back dining-room window, got over the roof of a back shop, got in at the window, and opened the shop and street-doors—there is a private passage which runs between the houses, by which he could get to the back of the house and climb up a broken spout—the private passage leads from the street, and is open all night—it has merely a gate on the latch—he might then climb up the broken spout, and get on the roof of a low building, on to a back shop of mine, and then to the dining-room window, which I found open—it was down when I went to bed, but it might not be hasped—I am quite sure it was quite down at twelve o'clock the night before.

ROBERT HAY (*City police-constable, No. 345.*) About three o'clock on the morning in question, I was in Fleet-street—I heard a noise in Mr. Fownes's house, I went to the private passage, turned on my light, as the lamp in the passage is put out at eleven o'clock every night, and observed a piece of water-spout across the passage from one side to the other—I looked up at the opening, and concluded that somebody had gone to the back part of the house—I went to the street, and called my brother officer—he stood at the passage entry—I examined the house, and found all the doors fast—I thought the spout had fallen down, decayed, but in about twenty minutes I still thought I heard a noise in the house, and the door open, and the party fall back, and shut the door—I rang the bell—Mr. Fownes's apprentice let me in—I went there, and found the prisoner in the room—the prisoner had opened the side-door, but, seeing me, went back, and shut the door—I found him in the house—I took him to the station-house, and found two shirts on his back, which Mr. Fownes identified.

JOSEPH MORRIS. I was left up after my master went to bed—I did not open the dining-room window—I left it as it was when he went to bed—I did not see it myself, but I did nothing to it.

MR. FOWNES re-examined. These shirts are my property—they were hanging up in the shop, and are shop goods—he had broken through a window, and got them, and dressed himself in them.

Prisoner's Defence. I was in the house, but I was in such a state of intoxication that I do not know how I got in; the prosecutor said at the office it was more like a frolic than a robbery.

MR. FOWNES re-examined. He was intoxicated, or pretended to be so—I certainly thought he was drunk, but the policeman said at the station-house that he was not—a candle was left burning, which burnt nearly through the wainscot.

ROBERT HAY re-examined. He pretended to be very drunk, but the inspector said he only shammed, and I thought so myself—he could walk perfectly well—he must have climbed about ten feet to get in.

GUILTY. Aged 23.—Transported for Fifteen Years.

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1345. JOHN BROWN was indicted for feloniously breaking and entering the dwelling-house of James Spokes, on the 15th of April, with intent to steal, and stealing therein, 2 printed books, value 4s., his goods.

JAMES SPOKES. I live in Goswell-road. I am not the housekeeper—I rent the shop, parlour, and a sleeping-room, of Mary Smith—we have a separate entrance—it is all one house—there are two passages—there is an entrance to the shop, and the private door enters into both parts of the house—Smith lives in the house as well as me—the entrance into the shop is separate, and the shop communicates with the private passage, leading to my bed-room—it is a bookseller and stationer's shop—the parlour and shop are on the ground-floor—I can lock them up separate from the rest of the house—on the 15th of April I came home about eight o'clock in the evening—a mob was collected round my door, and the prisoner in custody, with George Walter, against whom the bill was not found—I missed two books from my shop, which I had seen lying at the bottom of the window—it is a close window, which does not open—I had seen them safe at six o'clock, and went out at seven—I left Jane Sidey, and a boy we call George, within—he is not here—the window and door were quite safe when I left—on returning I found the uppermost part of a pane of glass gone—it had been cracked before, but was quite whole—a person could easily put his arm in, and reach the books.

JANE SIDEY. I live with Mr. Spokes. He went out at seven o'clock, leaving me and George there—about eight o'clock I heard a cry of "Stop thief"—I went to the door, and saw the two books on the ground, by the step of the door, near the broken pane of glass—a gentleman took them up, and gave them to me—I put them back in the window, and afterwards gave them to the policeman—just before I heard the cry of "Stop thief," a man had come into the shop for some tobacco—he had gone away before I heard the cry, and left the door open—I did not hear the glass break—I and the boy were reading a book.

HENRY THOMLINSON COOMBE. I was passing Mr. Spoke's shop, about eight o'clock in the evening, and saw the prisoner, with two other persons—they passed me a short distance from the house—I saw the prisoner put his hand up to the side of one of the panes of glass, as if to cut the putty away—I mentioned it to three persons, and watched them—they all three stood together at the window, the prisoner being in the centre—I passed by, and saw the glass lying on the books, and saw the prisoner's arm inside—I went and seized him, called "Stop thief," and the other two were both taken—one knocked a person's hat off and escaped, the other was taken—I did not see the books outside the window, I only saw his arm inside—about five minutes elapsed between my seeing him scrape the putty and seizing him—his hand went into the window twice.

FRANCIS BRIDGES. I was with Coombe, and saw the boys at the window—I saw the prisoner's arm in the window—I did not see any books outside—I only saw his arm inside—they were there about a quarter of an hour—Coombe seized the prisoner.

JAMES O'BRIEN. I am a policeman. I took the prisoner into custody, with the other—Sidey handed me the two books.

(Property produced and sworn to.)

Prisoner's Defence. I had just left work, and was taking a walk; I

saw a great many people at the bookseller's; I stopped to read a book; I was walking away in about ten minutes, and Coombe came and caught me.

JAMES SPOKES *re-examined.* I had no books outside—I saw these safe at six o'clock, within reach of the opening. **NOT GUILTY.**

1346. WILLIAM M'NAB and **MARGARET PETERCAN** were indicted for feloniously breaking and entering the dwelling-house of Richard Tamplin, 'on the 8th of April, at the liberty of Glasshouse-yard, and stealing therein 24 printed books, value 5*l.* 7*s.*; 1 map, value 3*s.*; 1 memorandum-book, value 1*s.*; 3 manuscript books, value 12*s.*; 1 note-case, value 2*s.*; 1 portfolio, value 6*s.*; 2 cases of surgical instruments, value 4*l.* 10*s.*; 1 set of mathematical instruments, value 10*s.*; 1 pair of scales, value 15*s.*; 4 weights, value 1*s.*; 2 stethoscopes, value 11*s.*; and 1 box, value 11*s.*; his goods.

MR. CLARKSON *conducted the Prosecution.*

RICHARD TAMPLIN. I am a surgeon. Shortly before this robbery I moved from another dwelling to No. 2, Charterhouse-square—I left home about six o'clock in the evening of the 8th of April—I returned at twelve o'clock, and missed a box containing the articles in question—I cannot exactly tell all the contents, but there were five volumes of Shakspeare, a valuable Bible, and a morocco-leather case of surgical instruments, set with silver—the property is worth considerably more than 5*l.*—the house is in the parish of St. Botolph, Aldersgate, in the liberty of Glasshouse-yard—I gave information to the police, and on Sunday, the 12th, I went to Featherstone-street station-house, and saw my box and part of its contents—(*produced*)—there is a writing-case among the articles found—I found the lock had been cut off it—nothing was taken but the box and its contents.

HENRY KIDNEY (*police-constable G 6.*) In consequence of information on Saturday night, the 11th of April, I went to No. 24, Red Lion-alley Cow Cross-street—I found the street door open and went up stairs to the second floor—I found the door fastened—I knocked at the door, and asked if a person named Williams was within—Petercan opened the door—she was not dressed, she had apparently got out of bed—it was eleven o'clock—I did not know her before—I asked if she knew where Williams was, she said Williams and his woman lived in the same room with her, but he was gone down to his brother's—I went into the room, turned my light on, and saw this deal box behind the door, and the place where the prosecutor's initials had been attempted to be erased, but they were to be seen—Petercan was by the side of the bed dressing herself—I opened the box and found the covers of three books—there was another box there with the lid on the top of it—I found two other books in it, "Robertson's Antiquity of Greece" and "Valpy's Delectus"—I asked Petercan whose they were—she said they were Williams's—she said, that open box was Williams's—there was a third box in a corner which was locked—I heard Hayward ask her who that belonged to, she said it was hers—he asked her where the key was—she produced it, unlocked it, and in it was found a memorandum book, a portfolio, and three or four other little books—she said that property was put in there by Williams—on searching further I found thirty-three keys in a jar, some of which are skeleton keys—I took her into custody—on Monday night, the 13th, I went to a public-house in Gray's Inn-lane and found M'Nab—I told him I wanted him on suspicion of a robbery in Charterhouse-square, and taking a box from

a house there—he said he knew nothing about it—I took him to the station-house—he behaved very violently, and bit one of my brother constables through the hand.

Cross-examined by MR. RYLAND. Q. You have never found Williams?

A. I have not—I went to the house expecting to find him there—the woman said he had been there about a month, and the box was brought in during her absence.

MR. TAMPLIN. These covers contained books, with my professional notes.

JAMES HAYWARD. I went with Kidney to the house in Red Lion-alley—I kept my eye on Petercan and saw her at the table drawer, apparently concealing something—as I heard something rattle, I seized her hand and took a bag from it, containing three small keys—I then commenced searching the room, and saw a box which was locked—I asked her whose box it was—she said it was hers, and gave me the key from the table—I unlocked the box and saw a very large key lying on the top—I removed a gown, and under that found the portfolio and two books, one with Mr. Tamplin's name in it—I again asked whose box it was—she said, "It is mine"—I said, "Whose property is this?" she said, "I do not know how it came there, unless Williams put it there"—the box has only been locked a few days"—in another open box I found twenty-eight more keys, some of them are skeleton keys, and a file—she did not claim any of the things herself—I afterwards took M'Nab into custody—in passing his cell at the police-court, where he was confined after being committed, he called to me and asked if he could have any thing to eat or drink—he said, "It is too bad for me to be here alone, I did bring it out and *Polly-one-ear* lifted it on my shoulder;" and somebody, I think he said Morris, undid the door—I am not sure the name is Morris—there was a man with one ear in custody, and he goes by that nick name—I mentioned what he told me to the gaoler, and as I took him to the van he said, "I did not think you would have said what you did, or I should not have told you"—I handed the keys to the sergeant, who applied them to the prosecutor's door.

M'NAB. I deny ever saying a word of the sort to him.

HENRY KIDNEY *re-examined.* I applied this key to the latch lock of Mr. Tamplin's door—it lifted the latch—it was one of those in the bag—it is a skeleton latch key.

ANN ELIZABETH PENNY. I am Mr. Tamplin's housekeeper. On the Wednesday night I went up stairs about seven o'clock, and took some carpets off this box with Mr. Tamplin's initials on it as I went up—it was in the passage—I came down a little before eight o'clock, and as I was at the drawing-room door I heard a noise in the passage; when I got down I found the street door wide open—it was shut when I went up stairs—I missed the box instantly.

N'NAB—GUILTY. Aged 18.—Transported for Fifteen Years.

PETERCAN—NOT GUILTY.

1347. DENNIS KELLY was indicted for feloniously assaulting Richard Smith, on the 12th of April, and cutting and wounding him on the right side of his head, with intent to maim and disable him.—2nd Count, stating his intent to do him some grievous bodily harm.

RICHARD SMITH. I am a cooper, and live at the Ten Bells public-house, Church-street, Spitalfields. On the 12th of April, about seven o'clock at night I was sitting in the tap-room; the prisoner came in partly tipsy, speak-

ing loudly about what work he had been doing, that he had done nine days' work in one week—I said there were plenty of people came there to tell lies without any of his assistance; he took the poker from the fire-place, came to me, knocked the poker on the ground, and said if I would get up he would put my head on the ground, where the poker was—I made him no answer—he stood for a moment and put the poker back in the fire-place again—I went to another part of the room and sat down—after remaining there some time, he rose up, took the poker in his hand, and in about a minute and a half he came to me and said he would give it to me—I made no answer and took no notice; he directly afterwards struck me on the head with the poker, I fell forward on the table, stunned for a moment; when I recovered I shifted my hat from my head, and the blood came over my face—the waiter took me to a doctor's, where I had my head dressed—the prisoner was taken into custody.

WILLIAM BEAUMONT. I was present and saw the prisoner come in—he began talking about making nine days in a week, being a tee-totaler, and paying three weeks' rent in advance, and boasting in a foolish way—the prosecutor said, plenty of people told lies without his help—that excited him, he instantly went to the fire-place, took the poker, jobbed it several times on the ground, and said if Smith would get up he would put his head where the poker was—he afterwards put it back, called for a pot of porter, which he drank, and in about ten minutes went and seized the poker again, approached Smith, told him he would give it to him, and immediately struck him a blow on the head—it was a sort of side cut—it was certainly done on purpose—he immediately threw the poker back and ran out as fast as he could—Smith pulled off his hat, and the blood ran down his face—he went to get his wound dressed—we gave information at the station-house, and the prisoner was taken at the Duke's-head public-house, within two or three doors of the station-house—he had been drinking when he came in.

THOMAS AQUILA DALE. I am a surgeon. The prosecutor's wound was about an inch and a half, or two inches long, it was quite a clean cut—a blunt instrument on that part of the scalp would produce a clean cut, if given with sufficient violence—I should say it would require violence to inflict such a wound—I did not see his hat.

Prisoner's Defence. I knew nothing about it till next morning, when I awoke at the station-house. I asked what brought me there—the policeman said, "For cutting a man's head with a poker." I was sorry for doing it, and when I saw the man, I begged his pardon.

GUILTY of an Assault only.—*Recommended to mercy.*—Confined One Year.

1348. **WILLIAM RAGAN** was indicted for unlawfully, maliciously, and feloniously assaulting Catherine Ragan, on the 2nd of April, and stabbing and cutting her, in and upon the left buttock, with intent to maim and disable her.—2nd COUNT, with intent to do her some grievous bodily harm.

CATHERINE RAGAN. I am the prisoner's wife, and live in Rosemary-lane, he is a shoemaker. On a Thursday, in the beginning of April, between eight and nine o'clock in the morning, he asked me for his breakfast—I got it ready as soon as I could, but it was not the proper time that he used to have it—he got in a passion and went out—he came in again, and asked me for some money—I gave him half-a-crown, and kicked up a row

with him after I gave it him, because I wanted it myself—I said if he was going to drink that half-crown I would go on drinking myself as well as him—he said nothing, but went out and came in again—I had his breakfast ready, but he would not sit down to it—he went out, I followed him, and drank part of the money as well as him, and I believe more than him, at the Fountain public-house, in Rosemary-lane—he afterwards came into the room where I was sitting with my child, but I was very much in liquor myself—he asked me for more money—I gave him 6d.—he went out, and came in in a very short time again, very much in liquor—I took the chair and struck him with it, and called him a vagabond—I caught hold of him by the hair of his head, and threw him down, and threw the candlestick at him—unfortunately, my little boy was coming by, and the candlestick fell on my boy's leg, and hurt him—my husband bolted me out for doing that, I kicked up a row and came in again, and he went out—I was examined before the Magistrate—I am speaking the truth now—he went to a neighbour's house, I followed him, and got very angry with him—he was very much in liquor—I took up the poker and struck him, and it happened that he took the knife, I believe a shoemaker's knife, and just cut me with it a bit, but not much, for I am quite well—it was my own fault—a better father nor a better husband never could be found—he is a very hard-working man—I did not bleed much, it is quite well—I was quite well and able to come home and do my business in two days after—I did not stop longer in the hospital—I have five children living, and three I buried—the youngest is six months old—I wish to recommend him to mercy—I consider he has suffered plenty, for it was my own fault.

DANIEL SUGG. I am a policeman. I went into the room—I found the prosecutrix lying on her right side, apparently bleeding from the left—she said her husband had stabbed her, and she showed me where it was, on the left side of the buttock—it was a cut about an inch in length—it was bleeding very much—I went for a cab, and she was taken to the hospital—she did not appear to me to be drunk, but faint from loss of blood.

ROBERT THORPE. I took the prisoner up on the 9th of April, about eight o'clock in the evening—I told him I wanted him for stabbing his wife—he said, “I wish I had killed the b——”—he was very drunk at the time.

SYDENHAM HENRY PEPPIN. I am a medical student at the hospital. I saw the prosecutrix brought there—the wound was about an inch long, and an inch and a half deep—it was not bleeding—she lost about half-a-pint of blood—it was in a dangerous place—some small arteries were cut—it was inflicted by a sharp instrument—the danger was from there being very large arteries there, and it would be difficult to secure them—it had not wounded any of them, but must have gone very near them.

GUILTY. Aged 45.—Confined Two Years.

1349. JANE WYATT was indicted for stealing, on the 4th of February, 11 sovereigns, and 1 5*l*. Bank-note, the property of Joseph Broad, in the dwelling-house of Joseph Piggott.

JOSEPH BROAD. I am a butcher, and live at Peckham-rye. On the 3rd of February I sold a horse for 8*l*. 15*s*.—before I received that money I had between 7*l*. and 8*l*. in my purse, in gold and silver—I was paid a 5*l*. note, three sovereigns and 15*s*., for the horse—I went to the Eagle tavern, City-road, in the evening, and staid there an hour—I was the worse for liquor—when I came out, I crossed the road and got into company with the prisoner—she spoke to me first, and asked if I would

treat her—I went across to the Green Gate public-house with her, and had a pint of ale—she took part of it with me—we went from there to Mrs. Piggott's, No. 15, New North-street—I gave Mrs. Piggott 2s. for the room, and the prisoner half-a-sovereign, to stop with her for the night—I went up stairs, undressed, and got into bed—she did not undress—I fell asleep—I do not think she got into bed—when I awoke in the morning she was not in the room—I found my pockets inside out, and my money gone—I complained to Mrs. Piggott.

Cross-examined by MR. PHILLIPS. Q. Were you not quite intoxicated?

A. No—I was the worse for liquor—I do not know how many public-houses I was in that night—the first I went to was opposite to where I sold my horse—I drank ale there—I then went to the Eagle public-house—I drank there—I was sitting there—I was not in company with any one there—there were plenty of people there—I went across from there to the Green Gate public-house with the prisoner, but nobody else that I am aware of, but I do not know—I do not know whether I was too drunk to tell—I do not know whether a man and woman went with me to Mrs. Piggott's.

HARRIET PIGGOTT. I live at No. 15, New North-street, Curtain-road. The prosecutor came to my house with the prisoner—there was a young man and woman with them, friends of the prosecutor's—four people came together—the other man and woman sat in my parlour on the sofa—the prisoner and prosecutor went up stairs—I went to bed, leaving them together, one party in the parlour and the other up stairs—I afterwards found the prisoner was gone—I found the party in the parlour there in the morning—I did not perceive that the prosecutor was particularly intoxicated—I do not think he was sober, but I did not think him so very much the worse for liquor as I afterwards found he was—I saw him with gold and silver—he took out his purse and gave me 2s. for his night's lodging—I do not recollect seeing him give the prisoner anything—I went to the bed-room where the prosecutor slept—his pockets were turned inside out—he was asleep, and I could not wake him—I went into his room to awake him in consequence of an alarm that the prisoner was gone out—I found 10½d. lying on the table—there was no appearance of two persons having been in the bed—the prisoner went away directly, she never went to bed—I afterwards saw her in Finsbury and told her of this—she used very abusive language, and said, “Nothing found on me, no catch me, no half-penny, and they may go and be ——” —at the time she went up stairs she asked me to lend her a bed-gown, which I did, and it lay as I left it.

Cross-examined. Q. When they came in did not you observe that the prosecutor was very much in liquor? *A.* He was the worse for liquor—(looking at her deposition)—this is my hand-writing—(Read, “He was very much in liquor”)—I did not say that—I said as I say now, that I believed he had been drinking, but I did not say he was the worse for liquor, he might be—I did not swear any thing at all—the prisoner said, when I met her, that she did not rob him, but I know she did—a young woman went into the room to the prosecutor with me, but she is not to be found—I refused to take them in at first, but the prisoner begged very hard as it rained hard—that was the reason I took them in.

Q. Was that the reason you took the 2s.? *A.* I had no occasion to let them have the bed for nothing—I said I took them in because it rained

hard—I have not sworn it—I am not swearing now—I hope not—this is the second time I have been in a court of justice—a young man robbed me of my purse about twelve months ago, and had ten years for it—I was at Clerkenwell-green once—it was not for any thing connected with this—I was not tried there.

COURT. Q. Were you and your husband tried for keeping a house of bad fame? A. We were not tried, we were held on our own recognizances—I believe Mr. Phillips was the gentleman concerned for us.

NOT GUILTY.

1350. ELIZA WILLIAMS was indicted for burglariously breaking and entering the dwelling-house of John Deards, about the hour of twelve in the night of the 18th of July, and stealing therein, 1 watch, value 1*l.*; 1 gown, value 4*s.*; 2 handkerchiefs, value 3*s.*; 1 apron, value 1*s.*; 2 petticoats, value 1*s.* 6*d.*; and 1 shift, value 1*s.*; his goods.

MARIA DEARDS. I am the wife of John Deards, and live in Angel-gardens, Shadwell. On the 18th of July, last year, I went out about twelve o'clock at night to get something for my supper—I locked my parlour door—a widow lived in the top room—I was absent about half an hour—when I came back I found the door broken open, and the hasp hanging by one screw—my drawers were stripped—I missed the articles stated, which were safe when I left the house—I went directly to the station-house, and found Mary Brown there, with a gown, a shift, and a petticoat of mine—this is part of the property I lost—(looking at it.)

CHARLES GILL (police-constable K 59.) On the 18th of July last I was on duty in Commercial-road, and met the prisoner about one o'clock in the morning, with Mary Brown, at the top of Dock-street—Brown had a bundle in her apron—I asked what it was—she said, some linen which she had been fetching from a washerwoman—I said it was an unseasonable hour, and thought all was not right, and I must take her to the station-house—the moment I spoke to Brown the prisoner walked off, and has not been seen or heard of till last Tuesday fortnight—I took Brown to the station-house, and in about three minutes the prosecutrix came and said the property was hers—Brown was convicted here in July last.

Prisoner. Q. Are you sure it was me? A. Yes—I knew you before.

MARY BROWN. I have been tried for this offence, and received my punishment. I know the prisoner—she gave me the bundle at the top of Angel-gardens, and told me to take it home to her house in Dock-street—there were two *chaps* with her—I went with her, and Gill met us—I did not go to Mrs. Deards's house with her—I had passed it that evening, but I did not see the prisoner there—I met her at the top of Angel-gardens.

Prisoner. Q. Were you not with me all the evening? A. Yes—I lived with you—I parted with you at the top of Dock-street that day—you were drunk—I knew the men by sight who were with you—I swear you gave me those things.

GEORGE PAVITT. I apprehended the prisoner in High-street, Shadwell—I had been looking for her for about a week before, from information Mrs. Deards gave me—I took her to the station-house, and Mrs. Deards came and charged her—she said she knew nothing at all about the robbery.

NOT GUILTY.

1351. JONSON ALBERT DE VRIES was indicted for stealing, on

the 23rd of April, 2 dressing-cases, value 34*l.*; and 2 knives, value 3*l.* 10*s.*; the goods of Caroline Hannah Richardson.

MR. CLARKSON conducted the Prosecution.

CAROLINE HANNAH RICHARDSON. I am single, and carry on the business of a cutler and dressing-case maker, in New Bond-street. On Wednesday, the 22nd of April, about the middle of the day, the prisoner came, and inquired the price of a small dressing-case which was in the window—I told him—he asked me if I had any ladies' dressing-cases—I showed him what I had—he said they were too common, he wished some more expensive, mounted with silver—I said, when my father returned I would procure him some, and send them—he said, "Do," and gave me his card, with "No. 2, St. James-square," on it—he said I was to send them the following evening, about seven o'clock, as he could not decide on them himself; they were for the inspection of a lady who was coming from Windsor—he said if the lady approved of them, whatever was kept would be paid for—he said the gentleman's dressing-case was to be sent with the lady's, and also two pearl knives which he selected—they were all for the lady—I procured a lady's dressing-case, of the value of 28*l.*, fitted with silver, and a small mahogany gentleman's case, value 6*l.*, which I sent by my father, with the two knives, one of which was worth 2*l.*, and the other 28*s.*—the prisoner came again next day, and looked at some knives, forks, spoons, a pocket-book, and other things—he produced his own pocket-book—I saw what appeared to me some Bank-notes in it, and concluded that he was some foreign merchant, or something of that sort—on the Saturday he came again, and selected about 20*l.* worth of cutlery, but they were not sent in—he said the lady had not returned, that she was to come by the train—he did not say what train—he said he hoped I should let him have the best of cutlery, as he was particularly recommended to us on account of our good things, and he had no doubt the lady would be a good customer—all the articles were for the lady's inspection—I expected whatever the lady did not keep would be returned, or I should have the money paid down—that was the understanding, as he was a stranger to me—if it had not been for his representing that they were for the lady's approval I should not have parted with them without the money—I considered he would have decided at the time if they had been for himself—I did not intend to sell them to him—I understood they were for the lady's inspection from the first.

Cross-examined by MR. LUCAS. Q. How long have you been in business on your own account? A. Since Christmas—my father kept the shop before, but he has been a bankrupt, and I have carried it on since—he has nothing to do with it—I receive the money for the goods sold in the shop, and I attend to the books generally—my father writes sometimes—it depends entirely on who is in the shop at the time—the business is wholly mine.

Q. One of the articles sold was a gentleman's dressing-case? A. No—I have not sold any thing—I understand the importance of the word "sold"—if the goods were sold, and a bill of parcels delivered, it would have been brought in a debt—I am perfectly aware of those things; if I was not I should not be able to conduct the business—I did not sell any of the goods to the prisoner—they were all for the lady's inspection, the gentleman's dressing-case, and all.

JOHN RICHARDSON. I am the prosecutrix's father. I took some goods

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to No. 2, St. James's-square, on Thursday evening, the 23rd of April—I saw the prisoner there—he desired me to set them on the table, to let him see them—he said the lady had not arrived, but she would be sure to arrive on the morrow, and he must get me to leave them until then—he said she was coming from Windsor by the train—he looked at the things, and said he thought this dressing-case with silver might do—he then wished me good night—my daughter had given me a card with his address on it, and I saw a brass plate on the door, with “J. H. De Vries,” I believe, on it—he said I was to call next day at two o'clock, as, no doubt, the lady would have arrived—I did so—he said she had not arrived, but she would, no doubt, arrive in the course of that afternoon, and I was to come again at six o'clock, by which time she would be there, and would be able to decide what she would keep—between four and five o'clock I went again with some more things—(he had been to the shop in the meantime)—he was not at home—a servant girl opened the door, and asked me if the things were for Mr. De Vries—I said they were, and she took them of me—as I was returning from the house, the prisoner hailed me in the square—he was coming from Charles-street—he said it would be of no use coming that night, as the lady had not arrived, I must come next day about two o'clock, by that time it would be decided on, and whatever was kept I should have the money for—on the Saturday I went again, and saw him—he said he must trouble me to leave them till Monday, they could not be decided on before, as the lady had not arrived—between Saturday and Monday I learnt something that made me suspicious.

Cross-examined. Q. Did you take a bill with these goods? A. No—I understood they were to be taken on approbation for the lady—the first I took I set on the table, by the prisoner's direction.

SARAH WILKS. I am single, and occupied the house, No. 2, St. James's-square, in April last. In February a person called on me for the purpose of taking it—in consequence of what that person said about a friend of his, the prisoner afterwards got possession of the house—he took possession on the 24th of March—he was to pay thirty guineas a month for the first three months, twenty-five guineas for the second three months, and twenty guineas for the last three months—he took it for nine months certain—I had an indirect reference—he was at first rather offended that I should ask him for a reference—I said it was usual in England—he said, very well, he would refer me to a banker, a friend of his, in the City—he went away, and returned next day, saying the gentleman was not in town, but he would be in two days—he returned in two days, and again said the gentleman had not returned, and at length he got the house, because I depended on a former reference which I had from a friend of his, the gentleman who had called in February—the brass plate was put on the very day he came—directly it was decided he measured the size for the brass plate, and in a few hours it was placed on the door—I cannot exactly tell how soon afterwards any goods came—it was about the latter end of that month—he asked me to recommend him a tailor, as he said his clothes were with his family, who were to bring them on the 1st of May—I did recommend him a tailor, but he was a ready-money tailor, and the prisoner declined having him—a great many parcels came to the house—on Friday, the 25th of March, I saw this dressing-case on the parlour table—I do not know when it came—it disappeared, I think, next day—I lived in the house—I let him the whole house, with the reservation of two rooms for myself—the first

month's rent became due that very Friday, the 24th—he said that he knew thirty guineas was due that day, but I must wait till the next day, for he was not going into the City till next day—next day he sent for me, and said he hoped I would excuse him, he had been to Highgate, and it was then past four o'clock, and the Bank would be shut—when he first came he had two carpet bags—when the officer examined them they were full of hay twisted up, torn pieces of music, a large heavy piece of chalk, and a variety of rubbish—one drawer in his room was locked, all the others were empty, and when that was opened there was nothing in it—I never received any rent—I have been obliged to leave the house in consequence of the embarrassments in which the prisoner placed me.

Cross-examined. Q. I suppose he is not the first person who has taken lodgings, and not paid you? A. Indeed he is—I never had a house before.

HENRY FREDERICK WHITTEN. I am assistant to Mr. Masters, a pawnbroker in Jermyn-street. On Saturday, the 25th of April, the prisoner pledged this silver-mounted lady's dressing-case, for 10*l.*, in the name of Williams, No. 84, Tottenham Court-road—he described himself as a lodger, and owner of the property.

Cross-examined. Q. What is the full value of it? A. We should get about 15*l.* for it—there are not nineteen persons out of twenty who give their true name and address.

MR. CLARKSON. Q. There is a great deal of difference in the price you would sell that at, and the price at which it could be purchased? A. There is.

— DUFFIELD. I am assistant to Mr. Fleming, a pawnbroker in John-street, Golden-square. I produce a dressing-case, pledged by the prisoner on the 19th of April, in the name of John Barnard, lodger, No. 8, Queen-street, for 2*l.*—he described himself as owner of the property.

Cross-examined. Q. What is it worth? A. I cannot tell, but not more than 2*l.* as a pledge—we do not advance the full value.

STEPHEN HEWSON. I live at No. 37, Waterloo-road. On the 2nd of March the prisoner engaged a bed-room of me, at 5*s.* a week—the police afterwards came, and found a variety of articles in his room—I do not know how they came there—the prisoner paid his rent until the last two weeks—he occupied the room at times—he slept there about once a week.

ALEXANDER JOHN RICHARDSON. I am the prosecutrix's brother. In consequence of what she told me on Monday morning, the 27th of April, I stationed myself in St. James's-square, about eight o'clock—in about forty minutes the prisoner came out of No. 2—a bootmaker met him at the door—they went in company some distance along Pall Mall—I followed them, and in Waterloo-place, I believe, he paid the bootmaker some money—the prisoner then went on to the Colonnade and looked back—my sister was on the same side as the prisoner—I followed him up Charles-street, across the Haymarket, up several turnings, into Oxendon-street, along a street leading into Leicester-square, and down a lane at the bottom of Princes-street—at every turning he took he looked round, to see if any one was following him—he did not observe me—he went by the National Gallery into Trafalgar-square, and got into a cab—I ran behind it along the Strand, and then got into a cab, and told the man to follow the other cab, which he did to Clifford's Inn—passage—the prisoner got out there, and I also—I got a policeman, crossed over to the prisoner in Fetter-lane, and told the

policeman to take him on a charge of swindling—the prisoner said, “It is not a charge of swindling; if the bill had been presented for the goods, and payment asked, they would have been paid for.”

SAMUEL LLOYD. I am an inspector of the City-police. The prisoner was handed into my custody at the station-house on the 27th of April—I afterwards took him to No. 37, Waterloo-road, in company with Wardle—he showed me the bed-room he occupied, and I there found in a portmantau, which he pointed out to me, a quantity of cutlery belonging to the prosecutrix—the prisoner told me where the dressing cases were pawned, and hoped I would intimate to Miss Richardson that as he had given the things up, she would be as lenient as possible—he also asked me whether I thought his neck would be stretched.

Cross-examined. Q. Did you understand the prisoner easily when he spoke? A. Perfectly—I conceived him very intelligent in the English language—his words were, “Do you think my neck will be stretched”—I cannot tell how he came to make that observation—he had just before requested that I would intercede with Miss Richardson—I cannot say that those were the words immediately before that remark, or what he said immediately after.

GEORGE WARDLE (*City police-constable, No. 325.*) I took the prisoner into custody—I put my hand on his collar, and told him what I wanted him for—he said, how dared I do such a thing—I searched him, and found some articles on him which the prosecutrix identified—I also found this card-case or pocket-book with these papers and flash notes in it—I went to No. 2, St. James’s-square, and brought away this brass plate—I went to look for Mr. Williams, No. 84, Tottenham Court-road, but found no such name or number.

Cross-examined. Q. Have you not got a bill? A. No—the inspector had it, and I believe it is in the attorney’s hands—I never had it—I have got a bill, but not the one you allude to—(*producing one*)—it is in the same state as when I received it—a bit is torn off the top—it was given to me the day I apprehended the prisoner.

(*Property produced and sworn to.*)

GUILTY. Aged 59.—Transported for Seven Years.

NEW COURT.—*May 13th, 1840.*

Fifth Jury, before Mr. Common Sergeant.

1352. JOHN SMITH was indicted for stealing, on the 24th of April, 1 coat, value 1*l.*, the goods of Robert Moore; to which he pleaded

GUILTY. Aged 22.—Confined Four Months.

1353. GEORGE ANDERSON was indicted for stealing, on the 15th of April, 3 printed books, value 5*s.*, the goods of George Willis; and that he had been before convicted of felony; to which he pleaded

GUILTY.* Aged 18.—Transported for Seven Years.

1354. DURHAM M’CARTHY was indicted for stealing, on the 23rd of April, 2 coats, value 10*s.*, the goods of Ralph Vickers; to which he pleaded

GUILTY. Aged 19.—Transported for Seven Years.

1355. CHARLES BUNN was indicted for stealing, on the 22nd of April, 1½lb. weight of copper, value 1s. 6d., the goods of Robert Ramsden and another, his masters; to which he pleaded

GUILTY. Aged 33.—Confined Ten Days.

1356. THOMAS ROTHERHAM was indicted for stealing, on the 29th of April, 1 pair of shoes, value 2s., the goods of Thomas Vesper and another; to which he pleaded

GUILTY.** Aged 11.—Transported for Seven Years.—Isle of Wight.

1357. WILLIAM MARSHALL was indicted for stealing, on the 10th of April, 1 printed book, value 1s. 6d., the goods of David Hilton; and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 17.—Transported for Seven Years.

1358. EDWIN MOORE was indicted for stealing, on the 30th of April, 1 handkerchief, value 4s., the goods of Thomas Rickaby Preston, from his person.

THOMAS RICKABY PRESTON. I am captain of the brig *Mary Ellis*, which was lying at Wapping. On the 30th of April, I was in Aldgate, near the Minories—I felt a *click* at my pocket—I turned round and the prisoner had my handkerchief in his hand—I collared him—I cannot say what became of the handkerchief—this is it—(*examining one*)—I know it to be mine—I am certain it is the same—I saw him take it partly out of my pocket.

THOMAS JONES. I heard a confusion as I was standing at our house, and saw a handkerchief in our lobby—it was close by where they were—I took it up, went to the door, and there saw the prosecutor collaring the prisoner—I said I would get a policeman.

Prisoner's Defence. I was walking along, and this gentleman caught hold of me and said, "You have got my handkerchief."—I said I was willing to be searched; he said he was sure I had it; a lady held up a silk handkerchief and said, "Here is a silk handkerchief"—I did not have any handkerchief in my hand.

GUILTY.* Aged 20.—Transported for Ten Years.

1359. JOHN BURNETT was indicted for stealing, on the 28th of April, 1 jacket, value 5s., the goods of James M'Burney, in a vessel in a port of entry and discharge; and that he had been before convicted of felony.

JAMES M'BURNEY. I am a seaman on board the *Grace Darling*. On the 28th of April, she was in the Regent's Canal dock—my jacket was safe that morning—I missed it in the evening—this is it—(*examining one*.)

WILLIAM SHEEN. I was on board the vessel on this day—the prisoner was there—I saw him pull his own jacket off, put another one on, and put his own outside the gate—I think the jacket he put on was a blue one—I told the coal-heavers of it directly—they did not go after him—he was drunk at the time—he staggered very much, and was very near falling into the barge from the ship's side.

ELLEN COLEMAN. On the 28th of April, I was in High-street, Shadwell, sitting outside the Pavior's Arms public-house, and saw the prisoner—Mary Brown came and spoke to me—in consequence of what she said

I went to the prisoner—he had a jacket on his back—he gave it to Brown, who gave it to me, and asked me to go and pawn it—he said he gave 14s. for it—this is it.

Cross-examined by MR. BALLANTINE. Q. Did he give it to Brown in your presence? A. Yes, I went to pawn it—Brown went with me to the pawnshop door, and asked me to go in, as I might get more money than she.

EDWARD CHILD. I produce the jacket, which was pawned by Coleman on the 28th of April.

CHARLES EDWARD (*police-constable K 271.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

Cross-examined. Q. Do you know any thing of him since then? A. No.

GUILTY.† Aged 20.—Transported for Ten Years.

1360. RALPH GRAY MATTHEWS was indicted for embezzlement.

MESSRS. CLARKSON and DOANE conducted the Prosecution.

JOHN BERKLEY DAVIS. I am an ironmonger, carrying on business in Tottenham Court-road. The prisoner came into my service in March 1839—in September last he was paid by commission—he was to receive a certain commission on the goods he sold for me—I have an order-book—I have looked into it, with reference to some goods which he furnished to Mr. Creswell, a customer of ours, on the 9th of September—it is in the prisoner's hand-writing—the goods were supplied—their amount was 6s. 4d.—I did not receive that 6s. 4d. from the prisoner—there is another entry on the 25th of September to John Wainwright for 5s. 4d.—I did not receive that on the 1st of November—there is an order to Ashley for 7s. 9½d.—he has not accounted to me for that—it was his duty to account to me every day, and in my absence, to Mrs. Davis—I dismissed him on the 23rd of November—I made no specific charge against him—he went over his accounts after that, on the 3rd of December—he would then have an opportunity of making up his accounts with me—he did not account to me for either of these sums.

Cross-examined by MR. STURGEON. Q. What was the nature of your hiring him? A. As a commission traveller at last, but the first was at 30s. a week—he had been in the same business—for all orders that he took I paid him the commission—he brought a number of customers—nothing passed between us respecting his own connexion—I did not agree with him that the commission was only on those customers which had originally belonged to him—since he has been in custody I have been to some of his original connexions—I have not stated to them that I wished for their business because I had locked him in prison—I will swear I never made use of that expression, or any thing to that effect—I have solicited their custom—I may have mentioned that I had been robbed—I went to Mr. Beavis's, and said that coming within a few doors of him I hoped he would send in as usual—then the conversation arose about the prisoner, and from conversation I found the prisoner had been an intimate friend of his, and I stated that he had robbed me to a considerable extent—I generally settled with him weekly—when he was on commission I was to reserve a third of the commission—it was not strictly due till the debts were collected, but I advanced him two-thirds, as he had nothing to live on, and

the reserves were to meet bad debts—if he introduced me to one of his old customers, and it turned out a bad debt, that would be deducted out of the commission to reimburse me for the money I had advanced—I bought all the stock he had—when we settled the commission, I allowed him for what had been bought—I was never in his debt for stock—he stated he had some little stock—I would not allow his doing business for me, and on his own account, but I had no objection to his bringing it—I paid him 2*l.* at first in advance, and the difference was paid from his commission—I had parted with the whole of that stock when he was discharged, with the exception of a few gridirons—he did not supply any thing to my customers from his own resources but once—that was some glue to Mr. Paul—Mr. Paul came to my house, and asked for his account—I made it out as 16*s.* 6*d.*—he said, “I have had some glue, I owe you more”—the prisoner said, “It is all right”—I supposed it had not been put down—I added it to the bill, and received it, supposing it was my own—when he was gone, the prisoner said, “It was a little glue I had in my own stock”—it was what is called Scotch glue—I do not keep Scotch glue—I handed the amount to the prisoner, and forbid any thing more of the kind—here is the entry in my book—I usually made the entries in the book—the prisoner made some, and Mrs. Davis made some—I have never had a dispute with the prisoner about coming to a settlement—a policeman was called in one night after the settlement, as the prisoner behaved himself in a very abrupt manner, because I wanted a copy of the commission account—I called in the policeman for my own protection—I had a scuffle about the book in which he had the account of the commission kept—after I had settled his account, and made it up in his book, and he had given me an I O U for the balance he owed me, I wished to have a copy of that account—he kept it in a book of his own—I insisted upon having it, and I caught hold of it—he had the book after giving me a copy—some months after that we went to Islington together, and some words took place—we had no quarrel—we did not part friends on that occasion—I kept a horse and gig, but we went with the prisoner’s pony, as I had lent my horse—I understood a friend had lent the prisoner the pony—part of my harness was on the pony, and the other part was the prisoner’s—he said a friend had lent it him to go round to the customers—he had to go to Hammersmith, Clapham, Hounslow, and various places wherever he chose, with the gig—when we got to Islington that night, the prisoner was in a hurry, and said he wanted to go somewhere—I wanted to leave the gig at my brother’s, and he rode the pony, and left my gig—I took away the harness and the bridle, as they belonged to me—we had no words about the accounts—I think the prisoner called twice at my house after he quitted me, to settle accounts—I am certain he did not call four or five times—I never heard of his calling after the 3rd of December.

THOMAS PRESWELL. I live in Little Albany-street, North-road, St. Pancras, and am a carpenter. The prisoner who represented himself as traveller to Mr. Davis, furnished me with things—I gave him orders several times—I have the invoices for goods for which I gave orders—here is one on the 9th of September—I cannot say who delivered these goods, but they came in, and I paid the prisoner for them, between the 10th of September and the 12th of October—(*bill read*)—“Mr. Preswell.—Bought of J. R. Davis, Sept. 9, goods, 6*s.* 4*d.*—paid.—R. G. M.”—I never knew him in any other capacity than as traveller to Mr. Davis.

Cross-examined by MR. PHILLIPS. Q. Do you mean to swear that you never knew him before he came to you, as being in Mr. Davis's employment? A. Never, sir—he introduced me as a customer to Mr. Davis—he came into the shop and brought me some patterns of different nails and screws—it was about June last, I think—I never dealt with him, but as servant to Mr. Davis, till the last bill, which was in his own name, but I did not see it, as I was not there when the goods came in—I thought they came from Mr. Davis as usual—my wife took in the goods, and the bill was tucked in under the cord of the parcel—I did not see the bill, as my wife put it into the cupboard—I never had the curiosity to look at it—it has never been paid—Mr. Davis has not claimed it, nor has the prisoner yet, he shall have it when he claims it—Mr. Davis has claimed what I owe him, and more, but he has not claimed for that parcel—I think the parcel contained one thousand tenpenny nails, a quarter of a thousand twentypenny, two thousand tacks, and some glue—I should think it was 6s. or 7s. in amount—I did not bring the bill—I have not seen it this month or two—it is headed in the way Mr. Davis's bills are, only "Bought of Matthews," not Davis.

JOHN WAINWRIGHT. I am a frame-maker, and live in Rose-street, Soho. I knew the prisoner as a traveller for Mr. Davis—he brought me some goods about the 25th of September—they came to 5s. 4d.—this is the invoice—I paid the prisoner for them.

Cross-examined by MR. STURGEON. Q. When did you first know the prisoner? A. I should think about July last—he applied for my custom—I did not know Mr. Davis till he applied to me for money for goods that I had paid the prisoner for—the prisoner always represented himself to me as Mr. Davis's traveller, and when I wanted goods I sent to Mr. Davis for them.

JAMES ASHBY. I am a blind-maker, and live at Knightsbridge. I knew the prisoner only as coming from Mr. Davis's—I had some goods about the 1st of November last—they came to 7s. 10½d.—I paid the prisoner for them, I think, within a fortnight of the time—here is the invoice—it has the prisoner's receipt to it.

CHARLES PURKIS (*police-constable E 77.*) I took the prisoner at his own house, in Hunter-street, on the 22nd of December—I asked him if Mr. Matthews was at home—he said, no, he was not, he would be at home at half-past twelve o'clock—I said I came from Mr. Davis, in Tottenham Court-road, who charged him with felony and embezzlement—he said, "I don't know such a person as Mr. Davis"—I said, "I believe you are Mr. Matthews"—he said, "No, I am not."

ELIZABETH DAVIS. I am the prosecutor's wife. I never received from the prisoner 6s. 4d. as paid from Mr. Preswell, nor 5s. 4d. from Mr. Wainwright, nor 7s. 10½d. from Mr. Ashby.

Cross-examined by MR. PHILLIPS. Q. Did you keep any books? A. I used to attend to the shop books—I think there are about three books in the shop—when I received money from the prisoner or from a customer, I put it sometimes in the till, and sometimes in my pocket—I really do not know that I have made any mistake—I never charged a customer over again for what he had paid for before; to my knowledge—I think it is very likely—what I have received of the prisoner I have signed the book for.

Q. Look at this bill, and tell me whether you did not make a mistake with this customer? A. The young man came to our house, and I said,

"Is this bill paid?"—he said, "Yes, and I will bring you the bill, to be convinced"—I said, "Very well," and when I looked at the books I saw it was paid—the signature to the bill is mine, but the bill is not—I believe it to be Mr. Davies's writing—I put "Paid" to the bill when I received it—I think the prisoner called about his commission account when my husband was not at home—I am certain there is nothing due to the prisoner.

(The prisoner received a good character.)

GUILTY. Aged 34.—*Recommended to mercy by the Jury.*—
Confined Six Months.

1361. JEPHTHAH FAWCETT was indicted for stealing, on the 27th of April, 1 half-crown and 2 shillings, the monies of James Glascock, his master.

MARTHA CROSSBY. I live in Oxford-street, and am assistant to Mr. James Glascock; the prisoner was his servant. On the 27th of April, in the evening, I counted the money in the till—there were 3s. in copper, sixteen shillings, one half-crown, and three sixpences, in silver—the prisoner was in the shop, and I heard the till open—a customer came in, and I went behind the counter to serve—I took the till out, and one half-crown and two shillings were missing—the policeman was sent for, and a half-crown which I had marked was found on the prisoner—there was no one else in the shop to take it.

Cross-examined by MR. BALLANTINE. Q. Had you marked it? A. Yes—the letter "G" is erased, so that I am able to know it again.

GEORGE EDWARDS (*police-constable E 30.*) I was called—I found on the prisoner 10s. 6d. in silver, and among the rest was this marked half-crown.

JAMES GLASCOCK. The prisoner was in my service about five months—I never doubted his honesty before—I think he has been led into this—I have another establishment, and would take him there immediately.

GUILTY. Aged 19.—*Recommended to mercy.*—Confined Three Days.

1362. CHARLES KNIGHT was indicted for stealing, on the 28th of April, 3 planes, value 12s.; 1 saw, value 2s.; and 1 pair of compasses, value 1s. 6d.; the goods of William Adamson.

WILLIAM ADAMSON. I am a carpenter, and live in Bartholomew-close. I was working at No. 22, Hensley-street, Euston-square, on the 28th of April—I left these tools safe about half-past eight o'clock—I afterwards found them at Mr. Cubitt's—these are mine.

Prisoner. Q. Had you other property there? A. Yes—I had left no one on the premises.

JAMES WILLIAMS. I am a watchman in the employ of Mr. Cubitt. I was walking round the premises, and when I got to No. 22, I saw the door open, and the prisoner coming out with a bundle—I found these tools on him—he said he wanted Simmons, a carpenter.

Prisoner. I am a house-painter; I was out looking for work, and saw the door of this house open; I went in, and, seeing these things, was tempted to take them to get a loaf for my children.

(The prisoner received a good character.)

GUILTY. Aged 32.—*Recommended to mercy.*—Confined
One Month.

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1363. CHARLES SAMBROOK was indicted for stealing, on the 18th of April, 168lbs. weight of potatoes, value 4s.; and 1 sack, value 6d.; the goods of William Davies; from a wharf adjacent to the navigable river Thames.

WILLIAM HENRY GARRETT. I am a fellowship-porter, and live in Lower Neptune-street, Rotherhithe. On the 18th of April I was employed at Black Lion Wharf, East Smithfield—I saw the prisoner take a sack of potatoes from the wharf—I followed him as far as the London Dock bridge—I there gave him in charge—this is the sack.

WILLIAM DAVIES. I am a potato-salesman, and live in Red Lion-street. I had some potatoes at Black Lion Wharf—I have examined those found on the prisoner, and they are the same sort as we were working that day, I am convinced.

WILLIAM BUTCHER (*police-constable H 90.*) The prisoner and the sack of potatoes were delivered to me—this is the sack and part of the potatoes.

Prisoner. I have worked for the prosecutor, and taken money for him; he has left me to sell things; I took these to sell, to get a shilling by them.

MR. DAVIES. I have employed him, but not lately—he had no business to take them—I never knew any thing against him before.

(The prisoner received a good character.)

GUILTY. Aged 23.—*Recommended to mercy.*—Confined
Three Months.

1364. THOMAS GOLBURN was indicted for stealing, on the 27th of April, 1 canvass bag, value 1d.; and 5 half-crowns and 10 shillings; the property of Thomas Richard Harrison and another, his masters.

THOMAS RICHARD HARRISON. I have one partner, and we carry on business in St. Martin's-lane. The prisoner was our errand-boy—in consequence of circumstances, I had five half-crowns and ten shillings marked and put into a canvass bag, which I locked in the iron chest, in the counting-house, on the 26th of April—on the morning of the 27th I watched and saw the prisoner come into the counting-house with a key in one hand and the canvass bag in the other—he unlocked the chest, and put the bag into it—I then went from the place where I was concealed, and took hold of him—I said, “I have been waiting for you, and have caught you at last”—he said, “What for? I have done nothing”—he then produced this key, and said he had found it in the dust—I went to the bag, and found that a portion of the marked money had been restored, and was in the bag—this is it, but two half-crowns were gone out of it and ten shillings, the rest is in the bag now—this bag has never been out of my possession since—I had put the key of the chest into my pocket when I locked the bag up—the key the prisoner had was a false key.

THOMAS COPE. I am in the prosecutor's employ. I marked the money on the 26th, and it was put into the chest about six o'clock—the bag and money were gone about nine o'clock.

GUILTY. Aged 13.—Transported for Seven Years—Isle of Wight.

1365. WILLIAM HARRISON was indicted for stealing, on the 20th of April, 1 copper, value 15s., the goods of William Bould and another; and that he had been before convicted of felony.

WILLIAM BOULD. I am a tallow-chandler, and have one partner—we

live in East-street. I had a copper fixed at No. 2, next door to me—I had seen it safe some time back—on the 20th of April I received information, went after the prisoner, and found this copper on him—I brought him back with it—he made no hesitation at coming—it is mine.

ANN SHORT. I live in East-street. On the 20th of April I heard a noise, and went down stairs—I saw the prisoner at the copper, and supposed he was taking it out—I went and told Mr. Bould, my landlord, of it—this is the copper.

Prisoner's Defence. I was passing the house; a man stood in the passage, and asked me if I wanted a job; he told me to take this copper, and go on.

PAUL JONES (police-constable D 37.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(read)—the prisoner is the man.

GUILTY. Aged 18.—Transported for Seven Years.

1366. JOHN MARTIN and SARAH COPELAND were indicted for stealing, on the 26th of April, 3lbs. weight of beef, value 1s. 6d., the goods of Richard Eaton, the master of Martin.

ELIZABETH JEFFRIES. I am housekeeper to Mr. Richard Eaton, a butcher, in Featherstone-street; Martin was his shopman. On the morning of the 26th of April I concealed myself in the parlour, and could see into the shop—I saw three persons come in—one of them bought some pork of the prisoner—he went to the top of the cellar-stairs, and called to my daughter, "Mary Ann, are you there?"—she did not answer—he went and put the money on the desk—he then went to the door, beckoned, and Copeland came in—he gave her some beef and mutton—I ran into the shop and said, "Where is the money for the meat?"—he made no answer—I ran out and found Copeland next door—I brought her back, and met Mr. Eaton at the door—Martin then said, "There is the money," pointing to the desk—I said, "No, John, that is not for this; I have been watching you ever since six o'clock this morning"—he then begged forgiveness, and said it was the first time—Copeland said then that she was his wife, but at the office she denied it.

RICHARD EATON. I was called down about eight o'clock that morning—the witness brought Copeland into the shop, and said, "Here are the two pieces of meat that John gave this young woman"—Martin begged for mercy, and said it was the first time—Copeland followed him into the parlour, and prayed very much for me to forgive him—she said he had a wife, and I understood she was his wife, but since that she denied it.

Martin. I intended to pay for it when I took my wages; I took the meat from the hook, and put it into the scale.

ELIZABETH JEFFRIES re-examined. He did not weigh them at all.

Copeland's Defence. My husband, who is the prisoner's brother, sent me to ask him to lend him 2s.—he said he had not got it, but he lent me these two pieces of meat.

MARTIN—GUILTY. Aged 26. }
COPELAND*—GUILTY. Aged 24. } Confined Six Months.

1367. WILLIAM SMITH was indicted for stealing, on the 27th of April, 2 metal cocks, value 2s., the goods of James Bacon.

JAMES COLLINS (police-constable D 37.) About half-past four o'clock

in the morning of the 27th of April, I saw the prisoner get over the rails of No. 32, Bedford-place—I took him, and found these cocks on him.

EDWIN BASS. I was in Gower-street that morning, and heard a cry of "Stop thief"—I saw the prisoner run, and stopped him—he threw something out of his pocket—he was taken to the station-house, and these two cocks found on him.

CHARLES COLLINS. I am in the service of Mr. James Bacon, at No. 36, Bedford-place. These two cocks are his—they were taken from the cellar under the area.

GUILTY. Aged 19.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1368. SARAH CHAPMAN was indicted for stealing, on the 28th of April, 1 watch-guard, value 2s. ; 1 yard of lace, value 2s. ; 1 neck-chain, value 5s. ; 1 purse, value 1s. ; 2 sovereigns and 2 half-sovereigns ; the property of Lewis Aarons, her master.

LEWIS AARONS. I live in Russell-court, Brydges-street, the prisoner was my servant. On the 3rd of April I had a leather purse, which contained two sovereigns and two half-sovereigns—I thought I put it into the desk, but it was not there—I told the prisoner to look for it—she said she could not find it—I had my suspicion—she was taken, and the purse found on her—this watch-guard, neck-chain, and other things, were found in her box—I had not missed them, but they are mine—this is my purse—it contained two sovereigns and two half-sovereigns (*looking at it.*)

JOHN RUSSEL. In consequence of what the prosecutor said to me, I went to the prisoner, and told her her master had been robbed of some money—I asked if she had any money by her—she said, "No," where should she get it?—I said, "You have got money by you, feel in your pocket"—she then said, "I think I have got 2*l.* or 4*l.* by me"—I said, "Where did you get it?"—she said, "If you don't take me away from here I will tell you ; I robbed my master of it"—she went on her knees, and begged I would not do any thing to her—I called the officer—she took the money out, and said, "There, that is my master's money ; don't say any more about it."

JAMES LEWIS ASHMAN (*police-constable F 119.*) I saw the prisoner take the purse out of her pocket, and throw it on the floor—she said, "There it is, take it"—I found these other things in her box, and this pair of boots, which she said she bought with money she took from the shop—1*s.* 3*½d.* was found on her, which she said was her own.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy.*—Confined Three Months.

1369. JOHN TULLOCK and EDWARD LYNCH were indicted for stealing, on the 26th of April, 7*lbs.* weight of lead, value 1*s.* 6*d.*, the goods of Henry Mason.

HENRY MASON. I keep a shop in Broad-street, Ratcliff. On the 26th of April this lead was in my shop—(*examining some*)—I can take my oath that three of these pieces were there, and I have no doubt the rest of it is mine.

JOHN MASON. I am the prosecutor's son. On the 26th of April I heard a noise under the counter in the shop—I went and found Tullock under the counter—I asked what he did there—he said he had come for a bag he had left on the Saturday—he was given in charge.

WILLIAM TAPLIN (*police-constable K 234.*) On the evening of the 26th of April the two prisoners passed me on my beat about half-past

eight o'clock—they went on towards the prosecutor's shop—I saw them separate, and Lynch stood at the end of a turning—I was then called in, and they had found Tullock under the counter—I took him, and he had this lead—I took Lynch the next day.

Tullock's Defence. I went to ask for a bag; there was nobody there; I went under the counter, and got my bag.

TULLOCK—GUILTY.** Aged 18.—Transported for Seven Years.
LYNCH—NOT GUILTY.

1370. **ANN JENNINGS** was indicted for stealing, on the 2nd of May, 7 yards of ribbon, value 3s., the goods of Margaret Davis.

HENRY BAKER. I am shopman to Margaret Davis, a linen-draper at Uxbridge. On the 2nd of May the prisoner and another young woman came to the shop, and went to a glass case—I was serving a customer, and was a quarter of an hour before I went to them—I had seen the prisoner put her hand on a ribbon-box, which caused me to suspect her—I then went to serve her, and missed a piece of ribbon from the box—I said she had got one, she denied it—I took hold of her, and she had this ribbon.

Cross-examined by Mr. BALLANTINE. Q. Had she not a bundle? A. Yes—she had been drinking, but knew what she was about—when I asked her about the ribbon, she seemed confused—she said, “You know I bought this dress here”—she had a dress, which she had bought at our shop—I went for an officer, and left Miss Davis at the shop-door—when I came back the prisoner was at the door—she might have gone away—she and her friend were both at the glass, but I saw the prisoner's hand on the ribbon-box.

JOHN BIGGS (*police-sergeant T 11.*) I took the prisoner.

GUILTY. Aged 28.—Confined Six Months.

1371. **GEORGE TORTUS** was indicted for stealing, on the 20th of April, 2 shillings, the monies of William Prophit.

WILLIAM PROPHIT. I am a surgeon, and live in Gray's Inn-lane. The prisoner was my errand-boy—I put four shillings into my desk on the evening of the 20th, and missed two shillings the next morning—I accused him of taking them—he at first denied it, but when the officer came he confessed it—he said he had spent the whole of it—I had promised him if he would tell me what he had done I would forgive him.

NOT GUILTY.

1372. **PATRICK WELCH** was indicted for stealing, on the 13th of April, 1 purse, value 1s., and 2 shillings, the property of Peter Alexander Young, from his person; and that he had been before convicted of felony.

PETER ALEXANDER YOUNG. I reside in Great Russell-street, and am a merchant. On the afternoon of the 13th of April, about five o'clock, I was in Regent-street—I had two shillings in a purse in my coat-pocket—I had not seen my purse for some time, but I felt it safe—I felt something at my pocket—I turned round and collared the prisoner—I said, “You are picking my pocket”—he said, “It is not me”—a gentleman who was standing by took up the purse about two yards from him and gave it me.

WILLIAM HILLARY. I am errand-boy to Alexander Gordon. I was in Regent-street—I saw the prisoner behind the prosecutor—he had his hand in his pocket—I saw the purse come [out, and he threw it on the ground when the gentleman laid hold of him.

Cross-examined by MR. DOANE. Q. What time was this? A. A quarter-past five o'clock—I think I had seen the prisoner before—I had had no quarrel with him.

MATTHEW TEAL (*police-constable C 107.*) I took the prisoner, and have the purse.

WILLIAM ELLIS (*police-constable C 91.*) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—he is the person.

GUILTY. Aged 19.—Transported for Ten Years.

1873. JOHN WALKER was indicted for stealing, on the 27th of April, 1 shawl, value 10s. 6d., the goods of Edward Nathan.

EDWARD NATHAN. I live in High-street, Poplar, and am a pawn-broker. On the 27th of April, my young man hung this shawl up on the front of the house—the prisoner was brought back with it, and asked me to forgive him.

GEORGE BEACH. I live in High-street, Poplar, and am an ironmonger. On the 27th of April I saw the prisoner take the shawl from the prosecutor's shop-front—I called, "Stop thief," he was taken, and brought back.

JOHN LATTEK. I saw the prisoner running, and I stopped him—I saw him throw the shawl from him—a little boy took it up, and I took the prisoner.

Prisoner's Defence. I saw it on the ground, and I took it up.

GUILTY. Aged 19.—Confined Three Months.

1874. JAMES GIBBONIER was indicted for stealing, on the 23rd of April, 1 shawl, value 12s., the goods of Daniel Collins, from the person of Martha Foster.—2nd COUNT, stating it to be the goods of John Foster.

MARTHA FOSTER. I am the wife of John Foster. On the night of the 23rd of April, about one o'clock, I was in Swan-street, Bethnal-green—I had this shawl on my back, which I had borrowed of Daniel Collins—I had been in search of my husband, and was returning home—the prisoner came behind me, and snatched the shawl off my shoulder, and ran down Swan-court—I ran after him, and scuffled with him for about two minutes—he then got from me, and ran up Swan-street, and on to Slater-street, where he was taken by the officer—the officer brought me the shawl the next morning—I know it is the same—I never lost sight of him.

Cross-examined by MR. DOANE. Q. Did you see the shawl in his hand? A. No, but I am sure he took it, because there was no one else near me—I felt him take it—I could not see him—it was pitch dark—I had never seen him before—my husband had been out with some friends, it being holiday-time—I had been to several places to look for him—I was not walking when the shawl was taken—I was considering what way I should go—my husband went out after dinner, and I went out between nine and ten o'clock—I called at my mother's—I had not drank any thing—I live in Pollard-row, which is about ten minutes' walk from where I lost my shawl,

JOHN FRANCIS (*police-constable H 148.*) I was on duty in Brick-lane, and heard a woman cry "Police"—I ran up Slater-street, and met the prisoner running—I crossed the road to him, and he said, "There is a woman accuses me of stealing a shawl, and I was going for a policeman to satisfy her that it is not me"—Mrs. Foster was running up, and some per-

sons after her, but none between her and the prisoner—I took him to Swan-street, but I could not find the shawl that night.

Cross-examined. Q. He stopped of his own accord? A. Yes, when I got to him—there are a number of privies in Swan-court—I found one of them shut that night, and a man and woman were in it.

RICHARD FARR (*police-constable H 23.*) I went there at half-past four o'clock the next morning, and found this shawl on a line in the court.

GUILTY. Aged 25.—Confined Six Months.

1375. CAROLINE STANNARD was indicted for stealing, on the 19th of April, 1 sovereign, the monies of Richard Amor her master.

RICHARD AMOR. I am a baker, and live in Lucas-street—the prisoner was my servant. I had a sovereign safe on Sunday evening, the 19th of April, when I and my wife went to church—it was in my wife's drawer in the bed-room—there was other money there, and that was safe on the Monday morning, but the sovereign was gone—I spoke to the prisoner about it—she burst into tears, and said she knew nothing about it—I called in a policeman, and we looked about the place, but could not find it—she was taken, and a sovereign was found on her—my sovereign was not marked.

MARTHA AMOR. I am the prosecutor's wife. I left five sovereigns and 14s. 8d. in the drawer when I went to church—I missed one sovereign, which was away from the others—no one but the prisoner could have taken it.

MARY DOUGLAS. I am searcher at the station-house. The prisoner was brought in—I asked her if she had got any money—she said, “No, not a farthing”—I found this sovereign in the lining of her gown sleeve, tied with this piece of ribbon—she said, “For God's sake, keep it”—I said no, I would not—she said she did not care a d—, she could only do as she had done before.

RICHARD CLAYTON (*police-constable K 235.*) I was called to the door, and took the prisoner—I asked if she knew any thing about the sovereign, she said, “Nothing at all.”

Prisoner's Defence. I went out on the Saturday morning, and met a man named John Simmons, who owed my father a deal of money—I said, “Do you mean to pay my father?” he said, “No;” I said, “I will give charge of you;” he said, “I have a sovereign;” I said I would take that, and I took it—I did not say I had no money.

NOT GUILTY.

Second Jury, before Mr. Sergeant Arabin.

1376. CHARLES CLAY was indicted for forging and uttering an order for 1l. 4s. 4d., with intent to defraud the Governor and Company of the Bank of England; to which he pleaded

GUILTY. Aged 18.—Transported for Fourteen Years.

1377. GEORGE LANE was indicted for forging and uttering an order for 52l. 1s. 2d., with intent to defraud the Governor and Company of the Bank of England; to which he pleaded

GUILTY. Aged 29.—Transported for Ten Years.

1378. WILLIAM MORGAN was indicted for embezzlement.

WILLIAM WOOLF FINK. I am a leather-seller, and live in Charlton-street, Somers-town—the prisoner was my occasional porter. On the

27th of April I sent him with some leather, and an account to Mr. Wilson for 4*l.* 2*s.* 7*d.*—he returned in about three hours and a half, partly drunk—he put down 3*l.* 2*s.* 6*d.* on the counter, and said he had received no more—I said there was 1*l.* 0*s.* 1*d.* short—he said if I did not acknowledge it he would take it up again, and I took it.

Cross-examined by MR. CLARKSON. Q. What time did you send him? A. At near twelve o'clock—he was quite sober then—I had him taken to the station-house—I do not recollect that I spoke angrily to him for being drunk—I might do so—he lives seven doors from me.

JAMES WILSON. I paid the prisoner 4*l.* 2*s.* 7*d.* on the day stated.

Cross-examined. Q. Have you got the receipt? A. Yes.

CHARLES STREET (*police-constable G 52.*) I took the prisoner—he had nothing on him but one farthing. NOT GUILTY.

1379. ROBERT LILLY was indicted for stealing, on the 27th of April, 1 pair of boots, value 5*s.*, the goods of Ralph Wilcoxon.

SAMUEL WILLIS. I am foreman at Ralph Wilcoxon's shoe-warehouse, in Tottenham Court-road. On the 27th of April, between one and half-past one o'clock, Barrett came into our shop, and gave information—I ran out, and overtook the prisoner at some distance—I charged him with having something that did not belong to him—he drew these boots from under his coat, and gave them to me—they are my master's.

WILLIAM BARRETT. I saw the prisoner coming from towards the shop, and going up Howland-street with the boots and the ticket on them—I gave information, and the witness brought him back—he begged very hard of Mr. Wilcoxon to forgive him, or place him where he might be taken care of.

JOHN FARR (*police-sergeant S 6.*) I took the prisoner, and found on him 1*s.*

Prisoner's Defence. A young man asked me to hold these boots, and he ran off.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Six Weeks.

1380. HANNAH BRIDGES was indicted for stealing, on the 12th of April, 3 napkins, value 3*s.*; 1 pair of stockings, value 3*s.*; 1 thread-case, value 2*s.*; 1 pin-cushion, value 6*d.*; 1 piece of jet, value 1*d.*; and 1 farthing; the property of Benjamin Bridges, her master.

MR. DOANE conducted the Prosecution.

MARY ANN BRIDGES. I am the wife of Benjamin Bridges, who keeps the Ink Horns public-house, in Nicholl-street, Bethnal-green. The prisoner had been five months in our service—she had asked for a holiday at the end of April, and was refused, but went away about two o'clock in the day, and did not return till two o'clock the next morning—we did not choose to let her in—she was dismissed, and came for her boxes on the Wednesday following—I did not see her pack all her things into the box, but there were some things in it—I had suspicion, and spoke to a policeman, who found these things.

Cross-examined by MR. CHAMBERS. Q. Who lived in your house besides? A. Not any one—the prisoner slept in a small bed-room on the first-floor—it was on Easter Monday that she went away—my husband would not let her in—she did not come again before the Wednesday—in the meantime her room was locked—my husband had the key—I have no reason to believe my husband flirted with her—I spoke to the prisoner

about her flirting with some young men—I do not know when that was—perhaps about a month before her going away—I did not go and visit her at the station-house, nor did my husband, that I know of—she came on the Wednesday morning, and said she would come in half-an-hour for her box, but she did not come again till the Thursday—I went into her room when she took her boxes—I had looked in her large box before I went into the room with her—I did not see the small box till she fetched it away—I did not see her take that one away—it could be concealed, as it was a very small one—she might be there about half an hour when she came for her box—my husband was not at home when she came—he came in while she was there—he had imparted to me something, and that led to my speaking to the policeman—my husband wished to know where she took her boxes—she did not offer to let me look into her boxes before she took them, and I did not ask to do so—I did not charge her with any thing—my husband told her to come for her wages next day—the value of these napkins is 3*s.*—I do not know whether the whole of these things might have been rolled up and put into a person's pocket—I have never expressed myself as being a little jealous—I believe there was a fortnight's wages due to her when she left—I had paid her 10*s.* the last payment—her wages was 6*l.* a year—she has not received the fortnight's wages—she had given me notice that she intended to quit my service—she would have left a fortnight after I shut her out—I never begged of her to stop—I told her she might go if she pleased.

MR. DOANE. Q. Is there any truth in your husband flirting with this woman? A. No, Sir, not the slightest—she has subpoenaed my husband here—these articles are mine—one of these copper coins is a farthing—I do not know what the other is—they were kept in a drawer in my bed-room, and this piece of jet was with them—these are a pair of silk stockings.

MR. CHAMBERS. Q. How do you know this piece of jet? A. By the shape of it—I put no value on it—one of these copper coins has a female with a pair of scales on one side, and on the other two faces—I believe it is William and Mary.

HENRY COTTON (*police-constable H 60.*) I followed the prisoner on the 22nd of April to No. 26, Vincent-street, Bethnal-green, and found these things in her boxes—the two coins and the jet were in a small box in the large one—I opened the small box with a knife—it was locked.

Cross-examined. Q. Who went to point out what boxes you were to examine? A. Mr. Bridges—he asked her where her box was—she pointed, and said, “There it is”—I laid hold of the corner of the box, and pulled it a little forward—the prisoner lifted up the lid, and took something out—Mr. Bridges owned the napkin, and then we came to a small box—he said to me, “Open that, policeman”—I got a knife and opened it, and found the two coins and the piece of jet there.

GUILTY. Aged 19.—*Recommended to mercy by the Prosecutrix and Jury.*
Confined One Month.

1381. JOHN O'DONNELL was indicted for stealing, on the 21st of April, 1 watch, value 2*l.* 15*s.*; 1 seal, value 5*s.*; 1 watch-key, value 2*d.*; and 1 guard, value 4*d.*; the goods of Henry Matthews: and EDWARD HERON, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

HENRY MATTHEWS. I am a shoemaker, and live in Henrietta-street. O'Donnell lived in the same house—on the 21st of April I took off my clothes on the stairs, in a state of intoxication, and whether I left my watch on the stairs with my things, or put it in the window, I am not certain—when I came to myself the next morning I missed my watch—this is it—(*looking at it*)—O'Donnell did not know that I had a watch.

Cross-examined by Mr. PHILLIPS. Q. Were you in such a state that you might have left it on the stairs? A. I might.

GEORGE BOSHER. The prosecutor lodged with me—I know he had this watch in his possession.

EDWIN SOMES. This watch was pawned with me on the 22nd of April by Heron—he represented it as his own.

THOMAS LYNE. I am a police-sergeant. I was at the station-house when the prisoners were brought there, on the 23rd of April—O'Donnell said the watch belonged to his wife; and then he stated to me that, in going to work in the morning, he heard the watch tick under some clothes on the window-bench, and put it in his pocket with the intention of finding the owner, but he got intoxicated, was short of money, and gave it to Heron to pawn.

NOT GUILTY.

1382. ROBERT ISAAC was indicted for stealing, on the 22nd of April, 2½lbs. weight of bacon, value 1s. 8d., the goods of John Walter; and that he had been before convicted of felony.

SUSANNAH WALTER. I am the sister of John Walter, who lives in Carburton-street. This bacon was taken from his shop-window, about a quarter past nine o'clock at night, on the 22nd of April—I did not see it taken—a person brought it back, and I knew it.

ANTHONY VOGT. I saw the prisoner take this bacon from the prosecutor's window—he wrapped it in his apron—I ran after him, he dropped it, and ran away—I left the bacon, and ran and took him—he begged me to let him go, and said he would not do it again—I took him back, and a boy picked up the bacon—I took it to Miss Walter—she begged me to stay till the policeman came and took the prisoner.

WILLIAM BAKER. I am a policeman. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 22.—Transported for Seven Years.

1383. DAVID JACOBS was indicted for stealing, on the 3rd of April, 1 purse, value 6d.; 6 half-crowns, 14 shillings, and 1 sixpence; the property of Thomas Francis Sanger; from the person of Mary Sanger.

MARY SANGER. I am the wife of Thomas Francis Sanger, a Greenwich out-pensioner. On the 3rd of April I was in Pell-street, between two and three o'clock in the afternoon—I took my child to see some puppets, which were playing—I had my purse in my pocket, containing 29s. 6d. in silver—there were four half-crowns in it, and, I believe, more—there were some shillings and some sixpences—I did not feel any body touch my pocket—I had the child in my arms—he did not wish to see the puppets, and I took him home—I then missed my purse—I am positive I must have lost it at the bottom of the street—I know it was safe when I went out—I saw the purse again at the office—this is it.

WILLIAM CHILDS. I am beadle of the parish. On the 3rd of April, about three o'clock in the afternoon, I saw the prisoner in Well-street, lead-

ing to Pell-street—he had another with him—they passed me—I saw they had got something they had no business to have—I walked after them, and the prisoner put his hand into his pocket and drew something out—he said, “This is a b——y good *skin*,” when they got to the end of the street, I then took them—I asked the prisoner what he had got—he said, “Nothing but one penny”—I took him to the office, and took this purse from him, containing six half-crowns and 14s. 6d.

Prisoner. I was coming along, and picked up the purse.

GUILTY.** Aged 16.—Transported for Ten Years.

1384. THOMAS INETT was indicted for stealing, on the 10th of April, 2 watch-guards, value 1l.; 2 studs, value 4s.; and 1 ring, value 6s.; the goods of Charles Webb.

CHARLES WEBB. I am a seaman, belonging to the barque *Bombay*. These watch-guards and other articles were in the barque—I left them there on the Friday before Good Friday—the prisoner was quarter-master, and was on board the vessel—I missed my property when the vessel came into the East India Docks—I afterwards saw these things at the Cock public-house, in Ratcliff-highway—I showed them to the prisoner at the Thames Police-office—he said he was sorry for what he had done, and he would make amends for the guard that is still missing.

Cross-examined by MR. DOANE. Q. How long had you known him? A. About twelve months—I think he took these things in a drunken frolic—one of the ship’s crew told me where they were, and I found them.

THOMAS WRIGHT. I am a policeman. I took the prisoner—he first said he knew nothing of it, and the property was his own—he afterwards said he was sorry, and would make amends for what was lost.

NOT GUILTY.

OLD COURT.—Thursday, May 14th, 1840.

Third Jury, before Mr. Sergeant Arabin.

1385. THOMAS MITCHELL was indicted for burglariously breaking and entering the dwelling-house of Edward Gardener, on the 30th of April, at St. Giles-in-the-fields, and stealing therein 1 peucil-case, value 2s.; 2 studs, value 1l.; 10 sovereigns, and 1 5l. Bank-note, his property; to which he pleaded

GUILTY. Aged 16.—Transported for Ten Years.

1386. HENRY GARDENER, MARK BARKER, and JAMES SMITH, were indicted for stealing, on the 1st of May, 3 spoons, value 1l. 5s.; and 1 fork, value 5s.; the goods of Charles William Elwood; to which they severally pleaded

GUILTY.—Transported for Seven Years.—Isle of Wight.

1387. JAMES MILLS was indicted for embezzlement; to which he pleaded

GUILTY. Aged 17.—Confined Three Months.

1388. JOHN CARELESS was indicted for stealing, on the 16th of April, 1 gown, value 8s.; the goods of James Searle.

ANN SEARLE. I am the wife of James Searle, who keeps the King of Prussia public-house, in Cross-street, Hatton-garden. I missed this gown

from the kitchen, on the 16th of April—I had seen it between four and five o'clock in the evening.

Cross-examined by MR. HORRY. Q. Your kitchen is on the ground floor, and there is a side-door to the house? A. Yes, you must pass the bar to come out.

ALICE RICHARDSON. On the 16th of April I saw the prisoner go into the prosecutor's house—he came out in five minutes with the gown openly in his hand—he was so intoxicated he could hardly carry it—he nearly ran against my stall.

HENRY HALL. I am a pawnbroker. The gown was pawned by the prisoner for 2s. between four and five o'clock—he was drunk.

JAMES SMITH. I am a policeman. I took him into custody.
(The prisoner received a good character.)

GUILTY.* Aged 27.—Confined Six Months.

Before Mr. Justice Patteson.

1389. WILLIAM GODFREY was indicted for stealing, on the 27th of April, 1 snuff-box, value 10*l.*; the goods of Theodore Gordon, in his dwelling-house.

CATHERINE HODNETT. I am housemaid to Dr. Theodore Gordon, in Duchess-street, Portland-place, in the parish of St. Mary-le-bone—the prisoner was employed to assist the footman, and his wife washed the footman's linen. On the 27th of April, about ten minutes to three o'clock the footman went out with the carriage—I was up stairs—I came down into the drawing room soon after—the cook was the first that came into the room—she stopped a short time, and then went up stairs—the prisoner came in and was looking at the ornaments about the room with the cook, who came back about two or three minutes after he came into the room—I then told him to help me, and hand me a few pins, as I was putting on the cover of the furniture—he helped me with two cushions—he afterwards went to the table where the ornaments were—I did not look after him—I was sewing on the cushions—he came over towards me with a common tortoiseshell snuff-box in his hand—he said, “I will take a pinch of snuff”—I said, “Do, I did not know there was any snuff in it”—he went away again to where the ornaments were—I did not look after him—I suppose he put that box down, for it was there after he was gone—he left the room in a minute or two, and said he would go away before the carriage came back—the cook left the room two or three minutes before him—I had seen the case in which the gold snuff-box was kept on the table in the morning, and dusted it—it was a small red leather case—I did not open it, but I took it in my hand to dust underneath it, and I think I should have missed the box if it had not been in it, as it would be lighter, but I could not positively tell—I took no particular notice—the prisoner was in the room about ten minutes, and I think it was a quarter to four o'clock when I left the room—the carriage returned I think about half-past five o'clock, and the footman with it—in consequence of what the footman said, I went to the prisoner's house, which is near the Edgeware-road, but he was out—I saw his wife—I met him in the street as I came back—I followed him and said, “Mr. Godfrey, you have taken the Doctor's snuff-box in a mistake from the drawing-room”—he said, “What box? I have not taken any box”—I said, “You must have taken it, for there was no other person in the room but the cook and you”—I told him to search his pockets, as perhaps he

had it with him—he said, no, he had not seen it—he would not search his pockets—I asked him to come with me to the Doctor's house—he said he had been to the house—he would not return with me—he said he would go home first—I walked by his side and said if he would not come back with me I would tell the policeman to take him—I said, the footman was gone after him to Tottenham Court-road, where his wife told me he had gone, and he would miss him—he walked very quietly by me, but would not return with me, and I told the policeman three times to take him—he looked at us, but did not come—the prisoner then said, “I will come with you, what is the matter?”—he turned round and came with me part of the way—the first turning he came to he ran away—I ran too, calling “Stop thief”—he was stopped, and a policeman took him to the station-house—the snuff-box was produced there by inspector Black—it is my master's snuff-box—(*looking at it*)—it is gold—I had seen it on Saturday night on the mantel-piece with the case open—before I went to the prisoner's house I had seen the Doctor open the case, which was empty, and he said, “Where have I put my snuff-box?”—the footman is not here.

Cross-examined by Mr. BALLANTINE. Q. How long had the prisoner assisted the footman? A. I believe about four years—I have very often seen him there—there was always plate and valuable property about—he was often in the pantry where the plate was—I dare say he had opportunities of taking it—I think he was sober on this day—he did not look drunk.

JOHN BURROWS. I am a policeman. On the 27th of April, I was on duty in Bowling-street, and took charge of the prisoner—Hodnett was close to him, and accused him of stealing a gold snuff-box—I took him towards the station-house—as we went along he threw something into an area—Haggerty went into the area, picked it up, and showed it to me—it was this gold snuff-box—I asked the prisoner how he came by it—he said he took it to take a pinch of snuff, and intended to return it again—I searched him at the station-house, and found a pocket-book with some papers, ten duplicates, and another snuff-box—I believe there was no snuff in that—I have produced the gold box here—it has been in the care of the superintendent—he is not here—it is the same box which Haggerty showed me—I know it by a mark, and the size of it—there is no particular mark on it.

Cross-examined. Q. Did you not say there was a mark? A. Well, there is a rub here in the side, but no particular mark—I swear it is the box—I saw this mark the night the prisoner was taken—(*pointing it out.*)

JOHN NEWSON. I was present when the prisoner was apprehended—as he was going to the station-house I saw him throw something over the area with his left-hand—Haggerty immediately got over the area and picked the box up, put it into his pocket, and went to the station-house.

HUGH BUTLER HAGGERTY. I am a policeman. I went down into the area and picked up the box—I am sure this is it—I know it by a rub—there are four rubs on it—it was wrapped up in a bit of the “Penny Satirist” newspaper when I took it up.

CATHERINE HODNETT *re-examined.* This is the box which used to be kept in the case—my master came home before the carriage.

DR. THEODORE GORDON. This is my snuff-box—it was kept in the case which Hodnett speaks of—I am certain I saw it on the Saturday night

on the chimney-piece—on Monday the 27th, when I came home, I missed it, on an observation being made to me—the case was left.

A JUROR. I am a jeweller—the intrinsic value of this box is above 5*l*.—I should sell it myself at 10*l*.

(The prisoner received a good character.)

GUILTY. Aged 40.—*Recommended to mercy by the Prosecutor and Jury.*—Confined One Year.

Before Mr. Justice Coltman.

1390. THOMAS JONES was indicted for feloniously breaking and entering the dwelling-house of Charles Oliver, on the 7th of April, at St. Dunstan, Stepney, and stealing therein, 7 yards of linen cloth, value 8*s*. ; 11 yards of printed-cotton, value 6*s*. ; 1 gown, value 5*s*. ; 1 shirt, value 5*s*. ; and 4 pairs of stockings, value 4*s*., his goods.

GEORGE OLIVER. My father, Charles Oliver, lives in Clare-hall Cottage, Waterloo-place, Stepney. On the 7th of April, I went to his house about ten minutes after eight o'clock in the evening—I saw a light through the window—my father was in the country at that time—I found the front door ajar, and an iron scraper placed against it inside—I entered the passage, and two men came out of the room into the passage—they were both strangers—I asked them what was up—they said, "It is all right, and Bob is backwards"—I said I did not think it was all right, nor should they go out till I had seen whether it was right or not—with that they struggled with me, and one of them said, "D— his eyes, knock him down"—they forced their way out, and got into the garden in front of the house—I attempted to take hold of them again, and they got through the gate, pulled the gate to, and struck me in the breast with it—they got into the street—I followed them into the field—one of them (the prisoner) fell down, and then I secured him—they had both been running—I was not out of sight of them at any time—it was nearly dark—it was twilight—I am sure I had them in sight the whole time, from the time of their getting to the gate till the man fell—I was close to them when they got out of the gate—I hit against the gate with my breast, which closed it—I had to open it again—I was about eight yards from them when I got out, and they rather gained ground—when the man fell, they were about as far from me as to the corner of this Court—they ran fifty or sixty yards before I caught them—I lost the other man entirely—the prisoner and I struggled in the field—I called, "Stop thief" all the way I ran, and when I secured him I called out for the police—a man named Bunn came up and helped me to hold him, and then Sergeant Shaw came up—we took the prisoner back to the house—I found every thing out of place and in confusion, drawers broken open and boxes too, and the things all in an uproar, all brought out into the middle of the room—the prisoner was taken to the station-house by a policeman, who Shaw gave him to—I afterwards went with Sergeant Parker with a lantern, which we got from the Maid and Magpie public-house, to the place where we had seized the prisoner, and found there four pairs of stockings and a crow-bar—I saw the prisoner in the passage from the light which was in the room, and know him by his face.

Cross-examined by MR. PAYNE. Q. Did he not say he was not the person who had been in the house? A. He did—the garden-gate opens into Wellington-place—there are houses between the cottage and the Maid and Magpie field—it was about ten minutes after eight o'clock—the road is very hilly, which caused him to fall—he just had time to get on his

legs as I came up—he made a blow at me, and struck me in my breast, as I was about to lay hold of him—it did not hurt me—the candle was on the corner of the drawers at the back part of the room, opposite the passage door—the room is about ten feet square—I could not see in what direction Bunn came—he was before the Magistrate, and was examined once, I believe, but was not bound over—I believe there was some little difference between his statement and mine.

ANN OLIVER. I am the wife of Charles Oliver, who is the son of Charles Oliver, who occupied Clare-hall Cottage. He was out of town at the time this happened—I and my husband had the care of the cottage while he was away, and lived in it—we always lived there—he was only gone on a job in the country, and was expected back again—on the evening in question I left the house about half-past six o'clock, with my husband and two cousins—I left the doors locked, and the shutters shut outside—we came home between one and two o'clock in the morning—we found my brother-in-law in the house, and the door broken open—I saw marks on the door next morning, as if it had been forced by a crow-bar—the drawers had been broken open, and the things turned out.

Cross-examined. **Q.** Have you any recollection of locking the door yourself? **A.** Yes, I did it myself—I am quite certain—I pushed against it after taking the key out—we have lived in the house three years—it is my father's house—my husband is a church-bell hanger.

WILLIAM SHAW. I am a police-sergeant. About a quarter after eight o'clock on the evening in question I heard a cry of "Police"—I went up, and saw the prisoner struggling with Oliver—the prisoner fell—I went up and secured him—Bunn was up before me, endeavouring to assist the prosecutor, when I got up, but when I first saw them there were only two of them—I saw Bunn go up and assist before I got up—I collared the prisoner, and asked Oliver what was the matter—he said he had found this man and another in the house—the prisoner said, "I never was near the house, you knocked me down, and almost cut my finger off"—I took him back to the house—I found the front-door had been forced—there were marks on it, and the bolt of the lock was forced out of the box—the room was in confusion, and the property turned out of the drawers—a candle was burning on the drawers in the bed-room—the house is all on the ground-floor—I found this handkerchief stretched out on the bed, and this linen in it.

Cross-examined. **Q.** Did you observe whether his finger was bleeding? **A.** Yes, it was.

HENRY JOHN PARKER. I am a policeman. On the night in question I went to the Maid and Magpie public-house with Oliver, and got a light—we went to the field, and found four pairs of stockings and a crow-bar—Oliver pointed out the place to me, and the things were found on the exact spot where he pointed out as having scuffled with the prisoner—I examined the bed-room door that night, and found a pressure, apparently done by some instrument just the width of this crow-bar—it was between the door and the jam—I put the crow-bar to it, and afterwards measured it, and consider decidedly that it corresponded—the drawers were inclosed with two folding-doors, and there were similar marks on those doors—I saw some marks on the outer door, but they appeared more forced by the body than an instrument—at the station-house I observed that three pairs of the stockings had blood on them, and remembering at the time the prisoner was brought in that his finger was cut, I asked him how that happened—

he said, "That is all I have got for my trouble; I heard the cry of 'Stop thief,' I ran after the man, and had just laid hold of the tail of his coat, when he turned round and cut my finger, by some means, I don't know how"—I observed it was rather a haggled cut.

CHARLES OLIVER *re-examined*. I had a knife in my pocket, but did not take it out.

ANN OLIVER *re-examined*. I know this linen—this shirt is my father-in-law's—it is marked—it was in the middle drawer when I went out—I left nothing on the bed when I went out—I know this dress to be my mother-in-law's—that was also in the middle drawer, and this piece of print covered over it—I was in the room when she put them into the drawer—these stockings belong to her—they are new—there were six pairs tied in a piece of blue paper—they were all gone from the house on this night—my mother-in-law showed them to me just before she went away—they have no mark on them—I should not swear to them, but this pair I can swear to, which have been washed, and they were tied up in the same parcel—I believe them to be the same.

Cross-examined. Q. How long ago did you see her put them into the paper? A. The week she left—we have only found four pairs out of the six.

(Thomas Green, weaver, Bonner's-lane, Bethnal-green, deposed to the prisoner's good character.)

GUILTY. Aged 30.—Transported for ten Years.

Before Mr. Justice Patteson.

1391. THOMAS CANNIFF was indicted for feloniously killing and slaying Richard Fleming.

TIMOTHY CALMAN. I occasionally play the violin at Lawson's, the Hoop and Grapes public-house, in Whitechapel—the prisoner is a fiddler, and is quite blind. On Saturday, the 11th of April, I was at the Grapes between five and six o'clock in the evening—the deceased Richard Fleming was there—the prisoner came in, and was going away again, when Fleming told him he would be a pint to his pint—he then came back, and it was agreed to take a pot between them, but I cannot say which proposed tossing—they were both quite drunk—they tossed up—a dispute arose about it—the prisoner said he had won, and Fleming refused paying—the prisoner went to lay hold of him, but he *shoved* him away—the prisoner had a dog which was fastened round his body—he unloosed him, and tied him to the leg of the table—he then went to lay hold of Fleming, and Fleming *shoved* him away—it was not a violent push—he laid hold of him at the corner of his jacket—there was a struggle—they pushed about from one side to the other—there was no blow struck—the deceased fell undermost—the prisoner kept hold of him when he fell—I did not observe whether he fell on him till the last—the prisoner helped him up, and appeared the more powerful man of the two—they did not leave go of each other till the landlord came—there were three falls, and all before the landlord came in, and Fleming was always undermost—the prisoner did not fall on him the second time, but the third time he fell on him with great force—his knees I believe struck him in the lower part of his stomach—that was in falling—I saw no blows or kicks given by either party—there were several tables in the room—I did not see whether they struck against a table—when the prisoner helped him up, he appeared hurt then, having his hand on the

bottom part of his belly, and complained of being hurt there—when he complained the prisoner sat down on the seat—he had let go of him when the landlord came in—there was no more struggling after that—Fleming sat down, and appeared much hurt—he began to cry, saying he was ashamed of himself to have any thing to do with a man in darkness—I went out in ten minutes or a quarter of an hour, and saw him in the yard retching—I was present the whole time—I did not consider that either of them was right about the tossing up—Fleming went home, and I saw nothing more.

Cross-examined by MR. PAYNE. Q. At the time the scuffling took place they had hold of each other? A. Yes—both pulling at each other, and during that time, they fell against the table—I am quite certain there was no kicking or striking.

COURT. Q. You said you did not see them fall against the table? A. I meant he did not get the injury by falling against the table.

HONORA JOHNSON. I am servant at the Hoop and Grapes. I recollect the scuffle between the prisoner and Fleming—I was not there when they tossed up—when I entered the room they stood by the fire very peaceable and quiet, and the boy, who carried the pot of beer in, stood waiting for money—the prisoner undid his dog, and fastened it to the table—Fleming asked the prisoner to pay for the pot of beer, as he had won it fairly, and then he attempted to leave the room—the prisoner felt for the collar of Fleming's coat—Fleming pushed him away—they caught hold of each other, and there was a struggle—I saw no blow struck by either—they fell three times—my master came in at the time of the second fall—the first time they fell on the table, not on the floor—the second time they fell on the floor, and the third time against the corner of the table, both of them together—Fleming went on to the seat, the table turned between them, and from there they both fell on the floor violently—Fleming in falling pulled the prisoner down with him—the prisoner was uppermost, and he fell with his knees on the deceased's stomach, I believe—after Fleming got up from the fall, he complained of being hurt—after that there was no more scuffling, but Fleming attempted to strike the prisoner, and a woman told him not to strike a blind man, that was after they got up from the second fall—they were both drunk.

SAMUEL COSTELLO. I was in and out during the quarrel—I have heard the witness's evidence—it is all right—there were three falls.

CATHERINE FLEMING. I am the widow of the deceased. My husband came home at ten o'clock that night—he appeared seriously hurt, and could not stand upright—he had been in pretty good health before—he was in liquor—I sent for Mr. Amersly of Wapping-wall, on Sunday afternoon, who bled him—he was taken to the London Hospital on Tuesday morning at eleven o'clock—he had been at home all that time, and did not meet with any injury in that time to my knowledge—he was not able to move about—he was in bed the whole time.

Cross-examined. Q. When did the parish doctor come? A. On Sunday night, between eight and nine o'clock, and on Monday he bled him.

GEORGE CREAM. I am a pupil in the London Hospital. Fleming was brought there on Tuesday morning, about eleven o'clock—I examined him—Mr. Luke came about half-an-hour afterwards—he was in severe pain from the injury he had received in the abdomen—I did not see any external bruise—I could tell from his appearance that he was injured.

H

JAMES LUKE. I saw the man on the Tuesday—he was labouring under considerable pain of the abdomen, vomiting continually, with great prostration of the whole system, and symptoms of fever—there was no external injury—I ordered a large number of leeches to the abdomen—in all about 140 or 150 were applied, which slightly reduced the inflammation—on the Thursday a small tumour made its appearance on the groin—it was a hernia—there was some doubt respecting the nature of it at the time, and I performed an operation—the operation itself was a dangerous one—the hernia had been of long standing, but I had not observed the tumour before that day—he died the evening of the day the operation was performed—there was a *post-mortem* examination, and I discovered most excessive inflammation of the covering membrane of the bowels, and a rupture of the small bowel, to the extent of three quarters of an inch, from which the contents of the bowel had escaped, and were diffused through the belly—there was the mark of a bruise near the rupture on the intestine—there was effusion, as the result of the inflammation, at various parts—there is a knob opposite the part where I had performed the operation, which was also the result of the inflammation—I have not the slightest doubt the rupture had been caused by external violence; and I suppose the violence was opposite the part itself, the lower part of the abdomen—a fall against a table, or on the ground, would occasion it, or a man falling with his knee against it—any external violence would have produced it—there was no disease of long standing, there was disease the result of the inflammation only—I do not think the rupture in the bowel could be occasioned by any thing operating internally, without external violence—I consider the inflammation arising from the rupture was the cause of his death—I have not the slightest doubt of it—I think the operation performed had not the slightest thing to do with his death—I never knew a man who lived so long after a rupture of an intestine, assuming it to have taken place on the Saturday night—I attribute his living so long to the active treatment he was subjected to, the application of leeches—I consider it a mortal injury—I suspected it from the first, but could do nothing but what was done.

GEORGE CREAM *re-examined*. I was present at the *post-mortem* examination—I agree with Mr. Luke in what he has stated—I believe the cause of death to be the rupture of the intestine—I have no doubt of it—I am certain the operation had nothing to do with it—he died on Thursday, the 16th of April—on the 15th of April he made a statement to me—about ten minutes previous to his making that statement, at the Magistrate's desire, I told him my opinion, that I was afraid there would be no chance of his living—he said he felt that himself—I took down his statement in writing, and he made his mark to it—this is it—(*looking at it*)—he was examined afterwards by Mr. Hardwick—I was present then, and the prisoner also, on the Thursday, the day he died.

(*The declaration being read, stated that the deceased had tossed with the prisoner, who refused to pay for the beer, and he (the deceased) paid for it; that he got crabby, having to pay twice; that the prisoner threw him down, and whether he got his knee on him, or kicked him in the stomach, he did not know.*)

JOHN PARKER. I am a policeman. I apprehended the prisoner—I asked if he recollected being in the company of the deceased—he said “Yes”—I asked if he had any struggle or fight with him—he said no, he had a struggle, but no fight—I asked if he recollected kicking him—he said

no, he did not kick him—he said, if he had received any injury, it must have been when he fell on him, and he was very sorry for it.

NOT GUILTY.

Before Mr. Justice Coltman.

1392. JOHN HALL and JOHN HALL, junior, were indicted for feloniously breaking and entering the shop of Ebenezer West, at St. Clement Danes, on the 29th of April, and stealing therein 10 pairs of boots, value 1*l.* 5*s.*; 16 pairs of shoes, value 1*l.* 12*s.*; 6 other boots, value 2*s.*; and 1 other shoe, value 6*d.*; his goods.

EBENEZER WEST. I keep a shoe-shop at No. 4, Vere-street, Clare-market; I do not live there. On the 29th of April I left it about eleven o'clock—I cannot say the day of the week—I know it was the 29th—I was before the Magistrate on the 30th—I shut the door, and locked and padlocked it—the shutters were also fastened by a bar, and bolted inside—I was sent for to the shop at eight o'clock next morning, and found the lock and padlock broken, and the articles stated gone—I did not know exactly what quantity was gone, but when I got to Bow-street the same morning I found ten pairs of boots, sixteen pairs of shoes, and some odd ones—they were my property, and part of what I missed from my shop—the elder prisoner lodged in the three-pair front room of the house where my shop is—I have seen him pass up and down—I do not know whether the younger prisoner lived there—I have seen his face before.

JOHN WATSON. I am going on for fifteen years of age—I live with my parents, but work for Mr. Furley, next door to the prosecutor's. One evening, I cannot exactly say the day, (I think it was the 29th, it was the day before I went before the Justice,) I was returning home with my mistress, about half-past twelve o'clock, and saw a light in Mr. West's shop—the street and shop doors were both open—thinking my master might be there, I went up to the door, and saw the elder prisoner picking up boots and shoes in the shop—he saw me and my mistress, got up as quick as he could, and slammed the door in our faces—I then stood on the knocker of the door, looked over the fanlight, and saw the elder prisoner going up stairs, with as many boots and shoes under his arm as he could carry—I knew him before by sight, by going up and down stairs at Mr. West's—I am sure he is the man—I saw Mr. West next morning, when he came to his shop, and told him what I had seen—I went to Bow-street the same evening, and saw the elder prisoner there—I do not know what time it was I saw Mr. West.

EBENEZER WEST *re-examined*. I saw Watson after I got to my shop next morning—I did not notice at what time—it was before twelve o'clock—I had been to Bow-street before I saw him, and saw the younger prisoner in custody—I went again to Bow-street that evening—Watson was there then, and the elder prisoner was then in custody.

EMILY ANGELO FURLEY. I came home with Watson—I went to Mr. West's shop, thinking my husband was there, as I saw a light in the shop—I was going in, and saw the elder prisoner picking up the boots and shoes—I saw him with boots and shoes under his arm—he shut the door in our faces—I went out into the road, looked through the fan-light, and saw him going up the first flight of stairs, which are straight before the door—I afterwards saw the light go into the third-floor front-room.

John Hall, sen. They could not see the stairs, it is impossible—there is a long passage, and the stairs turn round a corner. *Witness.* I did see the stairs—I first of all saw him come from the water-closet into the shop, and then saw him picking up the boots and shoes—the stairs do turn a little—there is a straight passage, and then you must turn a little to get on the stairs, but I am sure I saw him going up the stairs.

JEREMIAH DONOGHUE. I rent this house—the elder prisoner lodged in the third-pair front-room—I have seen the younger prisoner there, coming in and out sometimes—the elder prisoner's wife took the room of me, and I afterwards saw the young man going up and down stairs—I could not swear whether he slept in the house—I never knew any thing wrong of the old man while he lived with me.

JOHN JAMES ALLEN (police-constable E 159.) On the 29th of April, a little after twelve o'clock, I was on duty in Tottenham Court-road, and saw the younger prisoner passing up Tottenham Court-road with a bag on his shoulder, going towards Windmill-street from Percy-street—I met a brother constable, and we followed him—he went to a marine-store shop, and knocked at the door—directly he saw us he asked if that was No. 32—I said I did not know what the number of the house was, and asked what he had in his bag—he said he did not know—I asked where he got it—he said at the corner of Wardour-street, from a man who he had been in the habit of working for, and who lived at Paddington—we took him and the bag to the station-house, and found it contained boots and shoes—these are them—(*producing them*).

FREDERICK SHAW (police-constable E 114.) I took the property into my possession—it has been locked up in the station-house ever since, under my charge—I am positive it is the same—they were produced at Bow-street the morning the younger prisoner was there.

EBENEZER WEST re-examined. I can swear these are my property—some are my own work, and some my men's work—they are second-hand ones which I have repaired—I have brought six odd boots and an odd shoe to match with them—here are two boots which I have brought from my shop, which match two found in the bag—they have my stamp-mark on them, and here are others with the same stamp on them—I can swear they are my property, by being under my notice so long.

John Hall, sen. Defence. I was at work up stairs at the time of the robbery, finishing off two pairs of trowsers—my son came up, seemingly half drunk, but I do not believe he was—he said he should not sleep at home that night—"You won't," said his mother—"No," said he—she said he had better stop at home—he made an excuse to go below, took a light, and went down—he came up in five or ten minutes, made a frivolous excuse, and down he went again—his sister said, "I am sure John is up to no good"—his mother took the candle, and went down to see what he was doing—directly she got below he knocked the candle out of her hand—she called out for a light, and came up stairs—I then went down, and looked about, but could not find him any where—I saw the street-door half open—I shut it, and came up stairs again—that is all I know about it.

John Hall, jun. Defence. I am a scavenger. On the 28th of April I was at work at Paddington, all day—I returned home before eleven o'clock three parts drunk—I was to go to work that night at night-work at Paddington—I went down stairs to the water-closet, and went straight out—I

afterwards met a man named Davies, who I used to work with—he said, “Stop for me at the corner of Percy-street”—I stopped there for him, as I was going to work with him—he came, and said, “Take this bag for me to 32, John-street”—I went, and the policeman came up to me—I asked what number that was—he said he did not know, and asked what I had got there—I said I did not know—he examined it, and said it was boots and shoes—I said, “Is it?”—he said, “Yes, where are you going with it?”—I said, “To No. 32”—that is all I know about it—I am as innocent as a child unborn—I get my living by hard work.

(John Hall, sen., received a good character.)

JOHN HALL, sen.—GUILTY. Aged 61.—Confined One Year.

JOHN HALL, jun.—GUILTY.* Aged 21.—Transported for Ten Years.

First Jury, before Mr. Sergeant Arabin.

1393. JOHN BROWNING was indicted for stealing, on the 1st of May, 1 wash-hand-stand, value 10s., the goods of Richard Fleetwood and another.

JOHN PEARSE. On Friday morning, the 1st of May, about ten minutes after ten o'clock, I was going along Judd-street, and saw the prisoner looking in at the prosecutor's shop—he came to the front-door, laid hold of a wash-hand-stand, and walked off with it—it stood outside the door with other furniture—I did not suspect him at first, but seeing nobody in the shop I turned round, and now and then he looked round, and quickened his pace—I then made inquiry at the shop, followed him, and took him about a hundred yards off with it in his possession.

GEORGE HOWELL. I am in the service of Richard Fleetwood and another. This wash-hand-stand is theirs.

GUILTY. Aged 58.—Confined Three Months.

1394. JANE EATHERTON was indicted for stealing, on the 20th of April, 1 garden-pot, value 2d.; and 1 plant, value 6d.; the goods of Joseph Bayse; and that she had been before convicted of felony.

JOSEPH BAYSE. I am a gardener, and live in Grosvenor-road, Pimlico. On the 20th of April Mrs. Jones called me about eight o'clock—I followed the prisoner, and overtook her just as she knocked at her own door in Commercial-road, which is a quarter of a mile from my premises, and found this geranium in her arms—I asked her if she had bought it—she said, “Yes, of a woman in the street”—I looked at it, and said I could swear to it by the number on it—she said she gave 3d. for it.

ELIZABETH JAMES. I saw the prisoner take the plant, which was outside the prosecutor's shop door—I told him, and he followed her.

JOHN PARIS. I am a policeman. I took her in charge.

(*The prisoner put in a written defence, stating that she purchased the plant and pot of a woman in the street for 3d.*)

THOMAS BEVIS. I am a policeman. I produce a certificate of the prisoner's former conviction from the Clerk of the Peace of Westminster—(read)—I was a witness against her—she is the same person:

GUILTY. Aged 31.—Transported for Seven Years.

1395. JAMES WARD was indicted for stealing, on the 16th of April, 2 loaves of bread, value 4d., the goods of Edward Taylor.

HARRIET TAYLOR. I am the wife of Edward Taylor, a half-pay officer. He is in Wiltshire for the benefit of his health—I keep a chand-

ler's-shop, in Frog-lane, Lower-road, Islington—I was not present when this transaction occurred.

Cross-examined by MR. PAYNE. Q. Do you know the prisoner? A. Only by seeing him occasionally about the door—I was not acquainted with him—I did not know where he lived till the Friday night—I have known him by sight all the winter—as soon as I told the policemen his name they knew him—I have seen him about with other boys whom I know to be bad characters—my husband has not been at home for two years—I should not have noticed this had it not been repeated the second night.

ANN LINDSEY. I live in Frog-lane. On the 16th of April, about nine o'clock in the evening, the prisoner came, took two loaves off the counter, and ran away with them—he did not ask me for them—he was taken on the 28th—I know he is the person.

Cross-examined. Q. Where were you? A. Standing at the parlour-door—the police had information of it—I knew where his mother lived—I live with Mrs. Taylor—I went across the road after the prisoner, but, as there was nobody in the shop, I did not go further—I saw him go down the opposite street—I made inquiry for him on Saturday morning at his mother's, but could not find him—the shop was lighted—I have had no quarrel with him or his mother—I knew him by sight before, but not by name. (The prisoner received a good character.)

GUILTY. Aged 14.—*Recommended to mercy.*—Whipped and Discharged.

1396. STEPHEN BELLEINI was indicted for stealing, on the 14th of April, 2 breast-pins and chain, value 30s., the goods of John Henry Benham, from his person.

JOHN HENRY BENHAM. I am clerk to the Hampstead Water Company. On the 14th of April I was at Sadler's Wells theatre, between twelve and one o'clock at night, after the performance was over—I was coming from the boxes—I was on the step of the box-door, going into the street—the prisoner was standing at the door—as I came by him he turned round and put his hand to my breast, at the same time another shorter man ran against me—I saw the prisoner's hand pass, I put my hand up, and missed my shirt-pin—I turned round and asked him for it—he denied having it—there were three in company—one ran away—I held the prisoner—they denied knowing each other—the prisoner is the man who took it from my stock, for he put his hand across to my stock at the same moment as another man ran against my stomach—I have never found the pin.

Cross-examined by MR. BALLANTINE. Q. You gave him into custody directly? A. I did, and the man who ran against me also, but the police thought fit not to detain him—the third man ran away—there was a crowd—the hand was put over my shoulder—I instantly turned round and seized the prisoner—I am certain I had my pin in my stock coming out.

JAMES CRESSWELL. I am a chemist and druggist, and live at Islington Cottage. I was at Sadler's Wells that night, and as I came out I saw the prosecutor going out—I saw the prisoner raise his arm against the prosecutor, who immediately put his hand up to his handkerchief, and missed his pin—he laid hold of the prisoner immediately, and said, "Give me my pin"—the prisoner said, "What pin?"—the prosecutor held him—I am

sure the prisoner's was the hand that was at his breast—there were two or three round him at the time.

Cross-examined. Q. There were a great many people together, were there not? A. There were.

JOHN BROOMHALL. I am a policeman. I took the prisoner, and one of the other men whom the inspector discharged—I searched them both, but found nothing. **NOT GUILTY.**

1397. WILLIAM LAKE was indicted for stealing, on the 2nd of May, 3 sovereigns and 2 half-sovereigns, the monies of Henry Prosser Tessier.

HENRY PROSSER TESSIER. I am a publican. The prisoner formerly lived in my service, but left—I took him again, and on the 2nd of May sent him to pay a bill to Mr. Hinkley, in Seething-lane—I gave him three sovereigns, two half-sovereigns, and the bill, and told him to get it receipted, and bring it to me—I did not see him again till he was in custody.

JOHN HINKLEY. I am a corn and coal dealer. On the 2nd of May the prisoner did not pay me this money—I never saw him till he was at the Mansion-house the day before yesterday.

Prisoner's Defence. I must have done it in a state of drunkenness, if I did it at all, for my master and I were up together the night before, and the servant told me I was lying on the stairs at half-past six o'clock in the morning, in liquor; master was also in liquor, and the doors were open.

GUILTY. Aged 23.—Confined Three Months.

1398. JOHN TIDINGS was indicted for stealing, on the 5th of May, 1 basket, value 5s.; and 2000 radishes, value 4s.; the goods of Samuel Vale.

SAMUEL VALE. I am a fruit-salesman, at Covent-garden. On the 5th of May I bought eight baskets of radishes—I left them on my stand, about half-past nine o'clock at night, packed up—I returned about five o'clock in the morning, and missed one basket—I afterwards found it at the station-house—this is it—(*produced*)—I have frequently seen the prisoner about the market.

WILLIAM REID. I am errand-boy to Mr. Hodson, in the Haymarket. On the 5th of May, between ten and eleven o'clock at night, I saw the prisoner carrying the basket of radishes, and another lad by his side—I followed them into Bedfordbury, where they pitched them—I told the policeman, and they both ran away—we waited there some time—I saw the prisoner standing at the top of Bedfordbury, and gave him into custody.

GEORGE HOLLIS. I am a policeman. Reid gave me information, and I saw the basket in Hop-gardens—I remained there a short time, and was taking it to the station-house, when Reid pointed out the prisoner, and I took him into custody.

Prisoner's Defence. I was coming from Hungerford-market, where I am a porter, and in New-street I saw two policemen with the basket—Reid said, "That is one," and the policeman took me—I am not guilty.

WILLIAM REID *re-examined.* I have not a doubt of him—I knew him well before, having seen him in the market.

GUILTY.*** Aged 17.—Transported for Seven Years.

1399. MARIA GRAFTON was indicted for stealing, on the 9th of May, 1 handkerchief, value 2s.; and 1 pillow-case, value 4d.; the goods of William Beesley.

WILLIAM BEESLEY. I am a policeman of Heston. I was at the station-house there—the prisoner was employed occasionally as charwoman—I missed a pocket-handkerchief on the 10th of May—I went to the prisoner, thinking she might have it, as she washed for me—she denied all knowledge of it—I afterwards missed a pillow-case—these are both mine—(*looking at them*)—I found the prisoner very honest and upright up to that time.

JOSHUA BAKER. I am a policeman. I took the prisoner into custody.

JOHN GREGORY JACKSON. I am a pawnbroker, at Hounslow. The pillow-case was pawned with me, on the 29th of April, and the handkerchief on the 9th of May, both by the prisoner, in her own name.

Prisoner's Defence. I was very short of money, and took the handkerchief, not intending to keep it, but to replace it.

(The prisoner received a good character.)

GUILTY. Aged 29.—*Recommended to mercy.*—Confined Seven Days.

1400. SUSAN UPSON was indicted for stealing, on the 8th of May, 1 shawl, value 7s., the goods of Frances Shaw.

FRANCES SHAW. I am single, and live at Ham. I lost my shawl from my grandmother's house, at Hounslow, from a box, which was locked—the prisoner lodged there for a week—this is my shawl—(*looking at it.*)

JOSHUA BAKER. I am a policeman. I apprehended the prisoner, and found the shawl at the pawnbroker's.

JOHN GREGORY JACKSON. I am a pawnbroker. I took the shawl in of the prisoner on the 8th of May, in the name of Elizabeth Goodrich.

GUILTY. Aged 28.—Confined Three Months.

1401. HENRIETTA BIDDLE was indicted for stealing, on the 22nd of February, 2 swords, value 1l.; 1 waistcoat, value 1l.; 30 yards of printed cotton, value 25s.; 2 table-cloths, value 12s.; 1 table-cover, value 27s.; 1 gown, value 5s.; 1 shawl, value 4s.; and 1 blanket, value 11s.; the goods of Benjamin Brown, her master.

MARY ANN BROWN. I am the wife of Benjamin Brown, an upholsterer in Lower Crown-street. The prisoner was six weeks in our service—on Sunday evening, the 12th of April, I missed a waistcoat—I told her to come and look for it, she could not find it—I said, "Let me look in the double chest of drawers," which she had the key of—she said she could not find the key—I told her to fetch her master down, to break open the drawer—she went up stairs, ran out without shawl or bonnet, and left the candle in the passage—we broke the drawer open and missed all this property—this is all mine—(*looking at it.*)

GEORGE PHILLIPS. I am a pawnbroker. Four parcels of this property were pawned with me by the prisoner, in the name of Ann Dillon—the rest were pawned at our house.

DANIEL HOWIE. I am a policeman. The prosecutor applied to me—I took the prisoner up at King's College-hospital, Lincoln's Inn-fields, on the 1st of May—she was a patient there—she told me where to find the things.

GUILTY. Aged 28.—*Recommended to mercy.*—Transported for Seven Years.

1402. **MARY DAVIS** and **ELIZA SMITH** were indicted for stealing, on the 26th of April, 1 pair of stockings, value 1s., the goods of William Joseph Stevens.

THOMAS WILLIAM BROWN. I am in the employ of William Joseph Stevens, a linen-draper in Ratcliff-highway. On the 26th of April, between three and four o'clock in the afternoon, I received information from Pullen, went out, and followed the prisoners about sixty yards off—I went up and told them I wanted them—they had a boy with them at the time, and I told him I wanted him as well—he immediately ran away—I turned to pursue him—he fell down in the road—I turned round to the prisoners, and just as they were going to start off I saw the stockings drop between them—I took them up and pursued them—I caught Davis first—I held her by the arm, and pursued Smith into Lander's-place, and there missed her—I made inquiry, and was told she had not come in there, but a respectable woman pointed to a door—I looked inside, and saw Smith, and took her—the stockings had hung inside my door—these are them.

WILLIAM PULLEN. I was passing the prosecutor's shop, and saw Davis with a shawl in her hand, which hung at the door before the stockings—it was not taken down, but she held it while Smith took the stockings? from the door—I am certain of them both—they went away, and I told Mr. Stevens directly—I saw no boy with them at that time.

Davis's Defence. I was going to buy some candles; the man came and took hold of me, and said, "Where are the stockings?" but I had seen none.

Smith's Defence. The stockings were out at the window; the boy took them from the door, and dropped them.

DAVIS—GUILTY. Aged 14.—Confined Three Months.

SMITH*—GUILTY. Aged 17.—Transported for Seven Years.

1403. **THOMAS LEMAN** was indicted for stealing, on the 8th of May, 1 shilling and 4 sixpences, the monies of John Merretton, his master.

JOHN MERRETTON. I keep the Sportsman public-house, in the City-road. The prisoner was my pot-boy—my wife missed various sums of money, in consequence of which I was induced, on Thursday evening before I went to bed, to leave five marked shillings, six fourpenny-pieces, and 5s. 2d. in copper—I fastened the till up, locked the bar-door, and went to bed—soon after six o'clock in the morning, hearing the prisoner come down, I placed myself in the water-closet—he went and unlocked the door and went towards the till—I could see him through a fan-light—I went down to the fan-light, saw him return from the till, lock the door after him, and proceed out to the pot-house, to his work—I went up and dressed myself, went to the bar, opened it, and called him to take the shutters down, which he did—I then said, "Thomas, you have robbed me this morning; I saw you come into the bar, open the till, and return and lock the door after you"—he said, "God bless you, master, I have not"—I said, "You have, and I insist on your giving up the key"—he said he had not got one—I made him turn his pockets out—there was one marked shilling and four sixpences—I said it was mine—he said it was not—I made him return to his work, and that moment my wife came down stairs—I went out at the back-door, and told the policeman—I then returned back and settled my accounts with him, and gave him in charge—I

have the marked shilling which I found on him—he had a private key to unlock the door.

Prisoner. Q. Where is that key? *A.* I do not know; but you unlocked the door in my sight—I have lost various sums of money.

Prisoner's Defence. I did not unlock the door; I went to the bar to see the time; the shilling was in my possession the night before.

GUILTY. Aged 19.—*Recommended to mercy.*—Transported for Seven Years.

NEW COURT.—*Thursday, May 14th, 1840.*

Sixth Jury, before Mr. Common Sergeant.

1404. **HARRIET HIND** was indicted for stealing, on the 3rd of April, 2 spoons, value 27s., the goods of Sir Richard Jenkins, Baronet, her master; to which she pleaded

GUILTY. Aged 29.—Transported for Seven Years.

1405. **WILLIAM PRICE** was indicted for stealing, on the 24th of April, 1 handkerchief, value 6s., the goods of William Lemon Oliver, from his person; to which he pleaded

GUILTY.* Aged 20.—Transported for Ten Years.

1406. **WILLIAM BRINKWORTH** was indicted for stealing, on the 15th of July, 1 coat, value 2l. 10s.; likewise, on the 23rd of November, 1 coat, value 1l. 10s.; the goods of Charles Griffith Wynne, his master; to both which he pleaded

GUILTY. Aged 22.—Transported for Seven Years.

1407. **THOMAS BUTLER** was indicted for stealing, on the 21st of April, 1 coat, value 8s.; 3 waistcoats, value 5s.; 1 watch, value 1l.; 2 handkerchiefs, value 2s.; and 2 pairs of stockings, value 1s.; the goods of Trevor Cameron; to which he pleaded

GUILTY. Aged 21.—Transported for Seven Years.

1408. **JOHN COX**, *alias Darking*, was indicted for stealing, on the 22nd of April, 7 pairs of trowsers, value 5l. 5s.; 4 coats, value 4l. 4s.; and 1 bag, value 1s. 6d.; the goods of George Daniel Collett, his master; to which he pleaded

GUILTY. Aged 27.—Confined Six Months.

1409. **JOHN CROOKS** and **SAMUEL WHIFFEN** were indicted for stealing, on the 10th of April, 16 bushels of oats, value 2l. 10s., and 4 sacks, value 8s.; the goods of John Johnson, their master.

WILLIAM JOHNSON. I am the son of John Johnson, a corn-dealer in William-street, Knightsbridge—he has a granary there—he does business in Thames-street—Crooks was in his service for three or four years, and Whiffen one year—they were carmen—they came at five o'clock in the morning—it was the custom to give orders to Crooks in the evening—I was present on the 9th of April, when my father gave him directions—there had been corn lost from the granary—I stationed myself, on the 10th of April, in the morning, in the lower granary—the corn was in the granary over my head—the prisoners both came about four o'clock—I was at the back of the hay, concealed—I could not see them come in, but

I heard some one, and knew Crooks by a particular cough that he had—I then heard them go up stairs to an upper floor—I got on the top of the hay, and heard them up stairs for nearly a quarter of an hour—I heard them scuffling and stamping, and, as I imagined, dragging the sacks along the floor—I then saw Crooks come down the ladder, and go out into the yard—the sacks are lowered from the upper floor out of the window, by the hands—I saw four sacks descend, one after the other—I could not see who put them down, but I saw Crooks receive them, take them on his shoulder, and pitch them down in a cart—Whiffen then came down the ladder very cautiously indeed, and went out into the yard, and shut the granary door after him—I waited a little, and then went and spoke with my father—he got up and came down—I went out into the street, to stay a good way off, as I intended to follow the cart, and then I heard a noise of a cart, and thought they were gone—when I got out I met a policeman—I sent him to the yard—soon after that I saw my father, and saw Crooks running away across the road—the policeman followed him—Whiffen was there, and my father held his collar—I then came into the road where the cart stood—I examined it—there were four sacks in it full of oats laid in the bottom, carefully covered with the tarpaulin.

Cross-examined by MR. PHILLIPS. Q. Used not Crooks to take oats to different customers? A. Yes, not generally in my absence—I am generally there—his work is generally at Thames-street—I will not swear that he has not been in the habit of taking them to different customers from Knightsbridge—I make a distinction between our place and Thames-street, because latterly he had not done business from our place—he might have done it a month previously—he has frequently taken the customers corn, and when he has delivered it, he has come home and accounted daily for the money, when he has received it—we have stables in William's-mews—there was only one horse there—there was not a horse of my brother Henry's there—there never were two in the cart—there was an alteration making in Thames-street—I never saw my father strike either of the prisoners—he did not almost beat Crooks to death in my presence—I did not strike them—I was there when my father had old *Tom* called in, and he said he knew nothing at all about it—my father after that discharged him—I called in a policeman—my father knew it—he did not send me for him—I considered *Tom* perhaps to be as guilty as the others—I had proof of it in my mind, because he always accompanied Crooks to the wharf, and he might have known something about it—I was often with them—I believe a sewer was up in Thames-street—Williams-mews is not near Thames-street—I do not recollect hearing my father ordering Crooks to be there earlier than usual, because Thames-street was under repair—I was present when he gave the orders—he might have said, "Make haste in the morning"—he might have given him orders to be there earlier than usual—I do not recollect that he did.

Cross-examined by MR. CLARKSON. Q. Was Whiffen in the habit of going with the cart? A. Yes, he was not in the habit of going with Crooks—he might have gone with him, but not generally—he did not go with him as often as once a week—Crooks was to have gone with old *Tom*—it was not Whiffen's duty to be at the stable when the cart was going early in the morning—he ought to be there when the men came—*Tom* was not there that morning with them—we have a customer named Smi-

thers, and Crooks was to go to the Wheat Sheaf wharf to get a load for them—he would have to go through Thames-street, and if the road was up it would have to go round—I was not present from the time my father came down stairs till the men were given into custody—I went out in the road some distance off—I remained there ten minutes or a quarter of an hour—it was my intention to follow the cart—I did not stop the cart—I do not know that my father beat Whiffen—I saw him when he was in custody—he did not appear to have been beaten—both me and my father were here yesterday in the yard—neither of us said, to my knowledge, “I have nothing against Whiffen, I believe him to be an honest man”—I might have said I believed him to be an honest man previous to that charge—a person spoke to my father about being merciful—my father said, “I am here, if I go away I should forfeit my recognizances”—neither of us said “If it were not for forfeiting our recognizances we would not appear against Whiffen,” believing him to be innocent.

MR. BODKIN. Q. Do you know the person that came up to you? A. No, but I believe he is come to give one of the prisoners a good character—the orders were given to Crooks on paper—I saw my father write them—no part of it was that Crooks was to take corn from the stable that morning.

JOHN JOHNSON. I am the prosecutor—the prisoners were in my employ. On the 9th of April I gave Crooks some directions on paper what he was to do the next morning—this is the order—(*looking at a paper*)—(*reads*)—“Mr. Richardson, Please receive ten quarters of foreign oats and ten of Scotch oats.” He and old Tom had to go to a wharf to load these oats—Whiffen had no business to attend Crooks that morning—his duty was to cart corn in our neighbourhood—he had a horse and cart for that purpose quite distinct from Crooks—it was kept in the yard at Knightsbridge, and Crooks's were kept in Williams's mews—neither of them had any direction to take any corn from my premises the next morning—Crooks would have to take sacks—on the morning of the 10th I was awake by my son—he told me something, and I came down—I went into the yard when I found Crooks had got his horse from Williams's mews, and placed it in the cart—he was about to go out of the yard, and Whiffen was standing there doing nothing—the gates were open—my son was with me—he did not go into the yard—I let him out at my private door—I said to Crooks, “I think I am up a little before my time, but I see you are going to start earlier, as it was my wish”—he said, “Yes, but I have not got my sacks”—I said, “You had better put them in”—he then put in about twenty empty sacks—I had observed nothing in the cart at that time—he did not tell me he had anything—he then shuffled about and said, “Oh, master, I have lost my notice, I have lost my order”—he drew his cart out into the middle of the road, while I went, as he supposed, to write fresh orders—with that a policeman came up, and spoke to me—I seized Whiffen and told the policeman to seize Crooks—Crooks immediately dropped his whip, and ran as fast as he could up a court, and over the park wall, and the policeman after him—he returned in about a quarter of an hour, bringing Crooks back in custody—during that time I kept Whiffen—I searched the cart, and four sacks of oats were found in it, covered over very carefully with a tarpaulin—they were worth from 50s. to 3l.—I had not desired Crooks to start earlier than usual that morning—we wished him to start

about half-past five o'clock—neither of the prisoners would have authority to take that quantity of oats from my granary—the first thing they had to do was to deliver twenty quarters of corn from Wheat Sheaf wharf.

Cross-examined by MR. PHILLIPS. Q. Is it true that you did not expect them earlier than usual? A. No—I did not desire them to come earlier than usual—it was a casual remark that I made, “I see you are come earlier according to my wish”—if people wanted corn delivered earlier than usual, I endeavoured to get them away half an hour earlier—old Tom is discharged—he was to have gone with Crooks that morning, and as I had been robbed I could not but consider that he knew something about where the corn was going—I asked him if he knew where it was to go—he said, “No,” and I discharged him—he had been twelve years in my service—I did not tell him whenever I met him in the street I would call out “There goes that d—d old rogue”—I told him that I had some suspicion that he must know where the corn was taken to—I should think he is sixty-one or sixty-two years old—I sent for a policeman, but I made no charge whatever against him to the policeman—it was not to intimidate him into some declaration that I sent for a policeman—I do not recollect whether my son was with me—I do not recollect that I sent my son for a policeman—Crooks very seldom took corn from the granary to the customers—he used to do it—he was never trusted to bring back the money—occasionally, when parties paid it on delivery, which they seldom did, I have trusted him with the bill and receipt, where we know the parties pay, and he has brought it—I have not five customers that pay on delivery—he may have brought back 5*l.* or 6*l.* at a time.

Cross-examined by MR. CLARKSON. Q. You had a good opinion of Whiffen? A. No farther than of any other man—we believe them honest till we find them out—I took him by the collar, that was all the violence I used to him—I did not strike him to my knowledge—I swear I did not strike him many times—I do not think I struck him at all—I think I could confidently swear I did not strike him in the face—I do not know that I struck him—I might have pushed very hard against him to prevent his getting away—I will swear I did not strike him more than once—I know a gentleman named Howe—I do not know any thing for him, or much against him—I know he had a stable opposite my premises at Knights-bridge, and left without paying any body—I do not recollect whether he owed me any thing—he is a man of slight character—I heard that he called his creditors together—I cannot tell who from—it is five years ago—I saw him yesterday—he said he came to plead for mercy for Whiffen—I said I could have nothing to say to it, he had robbed me, and I had reason to suppose he had been robbing me for a considerable time, he had offended the law, and must take the consequence—Mr. Howe said, “You know me, and Mr. Smith knows me, I am well known in your neighbourhood”—I said, “Very likely”—I said, “I am not going to lose my recognizance,” but I did not say that I believed Whiffen to be an honest man, nor any thing of the kind.

MR. BODKIN. Q. Had you any reason to believe him to be any thing but an honest man up to this time? A. No.

RICHARD BROWN (*police-constable B 116.*) I was at the prosecutor's premises on the morning of the 10th of April—I saw Crooks go there about four o'clock—I was applied to by young Mr. Johnson about five o'clock—I went and saw Crooks run away, and jump over a wall—I pur-

sued, and brought him back—he said he had done wrong, and was afraid he should be transported—I took him and Whiffen to the station-house—I found this order in Crooks' pocket.

Cross-examined by Mr. PHILLIPS. Q. Did you take Crooks? A. A man going to work stopped him, and I took him.

Cross-examined by Mr. CLARKSON. Q. Are you the officer that took them both to the station-house? A. I had assistance—I did not talk to Whiffen on the way—I did not hear it said that it would be better for him to tell all about it, nor “You have made a bad job of it”—I did not hear him answer, “You seem to know a great deal about it.”

(Thomas Finch, labourer, of Devonshire-street, Kennington, gave Whiffen a good character: William Evans, a cabinet-maker, in Nassau-street; Henry Roberts, of Great Russell-street; and William Titherby, a glover, gave Crooks a good character.)

CROOKS—GUILTY. Aged 26 } Transported for Seven Years.
WHIFFEN—GUILTY. Aged 29. }

1410. CATHERINE HERBERT was indicted for stealing, on the 7th of March, 1 shawl, value 5s., the goods of Frances Van Millengen; and CATHERINE CLARKE, for feloniously receiving the same, well knowing it to have been stolen.

JOSEPH VAN MILLENGEN. I live in Judd-street. The prisoner Herbert was in my service—I had missed something—my daughter spoke to her, and she produced from her pocket a duplicate of this shawl—she said the shawl belonged to herself—my daughter said she had lost several things, and she suspected it was hers—I went the next morning to the pawnbroker's, and saw it, and it was my daughter's—this is it—my daughter's name is Frances—she is twenty-two years old—I told my daughter to get up early the next morning, which she did—a ring came at the door, and my daughter opened it—I was up, and the prisoner Clarke came in—she was rather surprised to see us up so early—I asked what business she had to come so early—she said she was bringing some things for her niece (Herbert)—I said I had been robbed of a gold watch, and some other things, and that a duplicate of a shawl had been found—I showed her the duplicate—she said it belonged to her, and she had a right to do as she pleased with her own property—I allowed her to go away—when I had seen the shawl at the pawnbroker's I sent for her again, told her I had seen the shawl, and it belonged to my daughter—she then turned to Herbert, and said, “How could you give me your master's things to pawn?”—they were then taken into custody.

Cross-examined by Mr. PHILLIPS. Q. How long had Herbert been in your service? A. About ten weeks—I had a good character with her—you were my counsel in the Court of Queen's Bench in a case of conspiracy—I was honourably acquitted—I went then by the name of Millengen, but I have a daughter who is in the musical world, and I sent her to school in the name of Van Millengen, which is the name I was born in, and I have used it lately.

FRANCES VAN MILLENGEN. I live with my father. This is my shawl—Herbert produced the duplicate of it, and said it belonged to herself—I did not lend it to her, nor authorise her to take it—it had been in my bedroom.

Cross-examined. Q. What did you give for it? A. I think 9s. or 10s.

WILLIAM TROTT. I am a pawnbroker. This shawl was pawned with me by Clark, on the 7th of March, for 1s. NOT GUILTY.

1411. CATHERINE HERBERT was *again* indicted for stealing, on the 7th of March, 1 cap, value 1s., the goods of Joseph Van Millengen, her master.

JOSEPH VAN MILLENGEN. I was present when the prisoner's box was opened by the policeman—I saw a cap and a handkerchief taken out of it.

Cross-examined by Mr. PHILLIPS. Q. Did you go into the case of the cap at the police-office? A. My daughter gave her deposition about the cap—I do not know whether the handkerchief was included—I had not heard that the prisoner had given notice to quit.

FRANCES VAN MILLENGEN. This cap belongs to one of the children, and it was found in the prisoner's box.

Cross-examined. Q. Did you know the prisoner had given notice to quit? A. Yes—I did not coax her to stay, nor ask her.

JAMES BLOOM (*police-constable E 98.*) I found this cap in the prisoner's box—she gave me the key of it. NOT GUILTY.

1412. FRANCIS RADFORD and JOSEPH BAKER were indicted for stealing, on the 24th of March, 336lbs. weight of hemp, value 5*l.*, the goods of the St. Katharine's Dock Company.

Messrs. ADOLPHUS and BALLANTINE conducted the Prosecution.

GEORGE EDWARD LANDY. I am deputy warehouse-keeper at the St. Katharine's Docks. I belong to the warehouse letter D, where consignments of hemp are deposited—a person named Allen is employed in the Docks—I remember on the 24th of March receiving an order to deliver four tons of half-clean hemp from a vessel called the *Thetis*—I received the order from our warehouse-office, and it appears by an indorsement on the order that two tons, two quarters, and ten pounds had been delivered—on the 24th of March, in the afternoon, I saw both the prisoners—I saw the prisoner Baker first—he came to our office for the delivery of the remainder of the four tons of hemp—in turning over the orders Baker pointed out this as his, and told me he had previously taken away about two tons, or a little more—I told him there were nearly two tons to give, or about one ton nineteen cwt.—he said that was right—I then directed that the order should be placed in the hands of Radford, who was a foreman—I believe I gave it to one of his men—I gave positive orders that it should be placed in his hand, but I did not see it in his hand—when an order of this kind is given, the foreman enters it in his delivery-book—I find Radford has entered on the 24th of March, to weigh and load, to Baker's own wagon, 39cwt. 1qr. 18lbs.—on the delivery of this order to Radford it was his duty to go to the floor where the hemp was, to take his gang of men with him to see that the scale was correct, cause his men to place the weights in the scale, and see that the proper quantity of hemp was weighed and delivered, and to enter it in his book—the order was sent to the office, at ten minutes before four o'clock, with the indorsement on it—the delivery-book was placed in at the same time, and the pass, which would enable the party to leave the Docks—the pass is in Radford's writing—I had given particular directions to Allen that day, and on the following morning, the 25th of March, I received a communication from him—the value of three cwt. of hemp is between 4*l.* and 5*l.*—the parties attend the weighing for the merchant, to see

that the quantity is right according to the order—there was a deficiency in the weight of what was delivered from the *Thetis*.

Cross-examined by MR. PHILLIPS. Q. May there not be various reasons for the deficiency? A. The state of the weather would make a difference in the weight—I never knew of any surplus of hemp—I do not know that Baker was taken to the office as a witness against Radford—I conveyed a letter to him requesting his attendance—I did not see the contents of the letter—I saw Baker at the police-office I believe three times—he was not asked to give any evidence in my presence.

THOMAS ALLEN. I am a labourer in the D warehouse of St. Katharine's Docks. On the 24th of March I attended the weighing of some hemp for Mr. Baker, the prisoner's father—it was part of the cargo of the *Thetis*—I was particularly attentive to what was done, and took a memorandum of it in writing by direction of my officer—the two prisoners were present at the delivery—they both came close to the scale when the draught was called, and counted the weights—22cwt. 1qr. 7lbs. was in the scale on the first delivery, and 22cwt. 1qr. 5lbs. was booked, allowing 2lbs. for the draft—the weight was called out in a loud and distinct voice, and Radford must have heard it from the position he was in—he was about nine feet from the scale when I called the weight—there was nothing between us—when the weight was struck I was assisting in discharging the hemp, and the foreman (Radford) called out, "What was the draught, did it take the half or the quarter," meaning the $\frac{1}{2}$ cwt. or $\frac{1}{4}$ cwt., and the answer was, "22cwt. 1qr. 5lbs. to book"—that was the second time it was called out—Baker was then present—when the hemp was discharged a man named Ryland hove it out at the loop-hole—I then saw the other draught weighed, and that was 20cwt. 0qr. 15lbs., and 20cwt. 0qr. 13lbs. to book—I heard Radford call out, "I want 20cwt. 0qr. 13lbs. clear of every thing"—that I most solemnly swear, because I heard it—I took a memorandum of the second weight as well as the first in pencil directly, and inked it afterwards—I delivered the paper to Mr. Landy the next morning—this is it—(looking at it)—I did not know at the time this was weighed whether it was wrong or right, as I had not possession of the order.

Cross-examined by MR. PHILLIPS. Q. Where did you dine to-day? A. At the Dock, at the Beer-barrel public-house, about half-past eleven o'clock—I drank one pint of beer there, and I have had two pints since—I came straight from the St. Katharine's Docks here—I have been into two public-houses over the way—I paid 2d. in each house—I had nothing but beer, to my knowledge—I took a pennyworth of gin this morning the first thing at Walker's in the Back-road, where I live—I might have tasted gin in a public-house over the way, but I cannot account how much gin I drank—I consider myself sober, as sober as I always am—I was never taken up in my life, I was never in custody at any police-office—that I swear—I have been in the Five Pipes public-house in Pickle Herring—I do not know that I was accused of stealing steaks in that house—I never stole any steaks or meat of any kind to my knowledge.

Q. Look at this woman, (Harriet Hughes) did she not accuse you of taking her meat; did not you deny it, and was it not taken from your person? A. There is not a word of truth in it—there was no steaks taken from my person—I was not accused by her of stealing, to my knowledge—I was discharged from the Docks—I cannot recollect what for, it is a great while ago—it was not for thieving, it was for disobedience of orders

to the best of my knowledge—it is above ten years ago—I was never accused of stealing any thing from the Docks.

Q. Then you were never accused of stealing cloth from the T department? A. I did not steal the cloth, because it was not off the premises—it was round my waist as an apron—that is a long time ago—there was about a yard of it—I was not accused of stealing that I know of, for the labourers have permission to put a bit of cloth round their waist to save their small-clothes—at times when the merchants leave their wrappers instead of taking them away, they give them to the labourers for aprons—I was not accused of converting them into smock-frocks—I can positively swear that—I was never discharged but once—I never sold any of those pieces of cloth, nor gave them to any of the other men—that I swear—I never said that I expected to be promoted if I convicted in this case—I never said so to Hugh James, nor that I expected a foreman's place, to my knowledge—I cannot recollect it.

MR. ADOLPHUS. Q. Is the beer-barrel kept in the Docks for the refreshment of the men? A. Yes—you cannot have more than one pint of beer from that by the Dock orders—I had one pint of beer there about half-past eleven o'clock, and then I walked up here, and had two pints—I was four times before the Magistrate—what I said was taken in writing, to the best of my knowledge, and I gave the same account then that I have now—I gave a true statement—I was never in my life taken before a Justice, or charged with any offence—if I was charged by any woman with stealing steaks there was no truth in it—there was a complaint about my using an apron, but I am still in employ by the Dock—I do not recollect saying any thing about my expecting a foreman's place, but if I did there was no truth in it—Ryland was present at the weighing of this hemp, and he took the weight, but I do not know whether he has got it correctly—I was perfectly sober when I wrote this paper and delivered it to Landy, and so I was at the police-office.

GEORGE HELSDEN. I am a labourer in the warehouse, in St. Katherine's Docks. I was present at the weighing of this hemp on the 24th of March—the two prisoners were there—Allen weighed the first draught, and I weighed the second—I did not hear Allen call the first draught—I have no knowledge of that, but I saw it thrown out of the loop-hole—I weighed the second draught, and it was 20cwt. 0qrs. 15lbs., that was 20cwt. 0qr. 13lbs. to book—I called that out for Radford, the foreman, to hear—the hemp was weighed on a grating—I saw that the scales were balanced before the hemp was put on—I did not see whether Radford took down the weight—he was standing about four feet from the scale, and Baker along with him—I suppose they both saw the weight of my draught, they were close to me—before the second draught was weighed Radford said he wanted 20cwt. 0qrs. 13lbs.—I did not see whether he had the order in his hand—he had a book with him at the writing-desk—I did not see him enter any thing in it.

CHARLES RYLAND. I was present at the weighing of the hemp on the 24th of March—the prisoners were there—I saw the first draught, and heard Allen call out the amount, 22 cwt.—I did not hear the odd quarters, but I am quite sure about the 22cwt.—I am sure that all that was weighed was thrown out of the loop-hole.

FREDERICK ALLANSON. I was in the warehouse at the weighing of the hemp—Allen weighed the first draught—I assisted in charging the scale

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—there was 21 cwt. weights in, and I put on a weight which made 21½ cwt.—Allen then said, “I want more iron,” and after the scale had been filled, Allen called out “22cwt. 1qr.,” and I said, “Bravo! that is the heaviest draught, or thereabout, we have made to-day”—the prisoners were within hearing when Allen called out the weight, and could see the weights better than I could.

Cross-examined by MR. CLARKSON. Q. Had you been at the weighing on the former days? A. No, but I was there on that day—I was always well aware that I saw 21cwt. 2qrs. in the scale, and that I saw the scales balanced—I was not asked all I have been asked to-day when I was before the Magistrate—Sir John Hall was present when I was before the Magistrate, but he did not ask me any questions—there were several persons in the weighing-room when this hemp was weighed—we had just before been weighing aloes—the hemp-weighing commenced at half-past three o’clock, about a minute after the aloes were weighed—I had nothing to do with weighing the aloes, nor had Radford—I have known mistakes made in weighing—the men know the weights well, but the greatest man in the world may mistake—I never weigh nor give an answer.

Cross-examined by MR. BODKIN. Q. Have you nothing to do with weighing? A. Yes, in case I am called upon—there are permanent men to do it—I have not been keeping company with Allen to-day, nor been in any public-house with him—I stated that I knew what the weights were—I was not examined by Sir John Hall—I was told I was wanted at the police-office—I went and was examined, but this is the first time I have mentioned about the weights—I know a man named Foreman—I did not speak to him at the Docks when this matter was being investigated—I never spoke to him—I did not say to him, “Now is the time for us to make ourselves, or for me to make myself,” or any thing of the kind—I never spoke to him except this morning or last night—I have been an extra man at the Docks since 1835.

EDWARD NAIRN. I am a messenger to the St. Katherine Dock Company. I remember on the 24th of March delivering a pass to Mr. Baker—this is the pass, it has my writing on it, and was made out by Radford—the weight of the hemp is on it, 39cwt. 1qr. 18lbs., made out by Radford—a few days before, the prisoner Baker’s father came, and wanted to see the hemp.

RICHARD BROWN. I am carman to Mr. Baker. On the 24th of March I went to the Docks, and got my load—Baker, the prisoner, gave me the pass to go home, and I left it with the gate-keeper.

Cross-examined by MR. PHILLIPS. Q. Baker is in the employ of his father? A. Yes, he has nothing to do with the business—I have been with his father nine months—he has a great deal of business—he is apprenticed to his father.

MR. ADOLPHUS. Q. Do you know that? A. Only from what I have heard—whether he is an apprentice or a partner I do not know—3 cwt. of hemp would be a considerable bulk, larger than this witness box—I should consider there was not two tons of hemp on the wagon I had on the 24th of March, according to the draught of the horses.

RICHARD WORLEY. I am gate-keeper at the Dock. I received this pass in the regular way, and delivered it up.

MR. BODKIN to GEORGE HÆLSDEN. Q. How long have you been in the employ of the Docks? A. Nearly eleven years—I was on the floor when the

first draught was weighed, but I took no notice of it—there had been no aloes weighed before—we had been trucking them—Radford had to attend to that—the weighing of the hemp began before the trucking of the aloes was finished—we left a man to truck them—there might be five men attending to the second draught of hemp—it was done with a good deal of haste—it was nearly four o'clock when the Dock closes—when the first draught was made, Radford called out, “Was it 20 cwt. and a half or a quarter”—I think the scale was four or five yards from the desk where Radford wrote—the men were waiting to take out the hemp.

MR. ADOLPHUS. Q. Is it not the practice when there is business, to continue on till half-past four o'clock? A. Yes; when there is particular business on—when the crate is put on it is usual to put weights in the other scale to make a balance, and that was done on that occasion—when Radford asked whether it was a half, or a quarter, he was told what it really was—I have no certain knowledge of what the cwts. were—I had nothing to do with weighing of the first draught—I cannot say that I heard the number of the cwts.

NOT GUILTY.

OLD COURT.—*Friday, May 15th, 1840.*

Fourth Jury, before Mr. Sergeant Arabin.

1413. JOSEPH LONGLAND was indicted for embezzlement; to which he pleaded

GUILTY. Aged 21.—Confined Six Months.

1414. GEORGE WILLIAM HURST was indicted for stealing, on the 8th of May, 1 printed book, value 2s. 6d.; the goods of William Thomas Evans: also, on the 8th of May, 3 printed books, value 5s.; the goods of Robert Gladding; to both of which he pleaded

GUILTY. Aged 36.—Confined One Month.

1415. THOMAS DITCHFIELD was indicted for feloniously stealing, embezzling, and secreting, on the 14th of April, a letter containing 2 sovereigns, 1 40l., 1 5l., part of a 50l., and part of a 100l. Bank-notes, whilst employed in the General Post Office:—also, for stealing, embezzling, and secreting, on the 2nd of March, a letter containing 4 sovereigns, 1 shilling, and 3 10l. Bank-notes, the monies of Thomas William Earl of Litchfield, whilst employed as aforesaid; to both of which indictments he pleaded

GUILTY. Aged 22.—Transported for Fourteen Years.

1416. DANIEL PINKSTON was indicted for stealing, on the 28th of April, 1 truss of hay, value 2s. 6d.; the goods of James Tillyer and another.

JAMES TILLYER. I am a farmer at Harmondsworth, in partnership with my brother. The hay is our joint property—it was going to Tanner and Baylis on the 28th of April, Dell was to take it to our stables at Longford, which they occupy to put their horses in—I saw the hay afterwards, and knew it to be mine.

Cross-examined by MR. BALLANTINE. Q. I believe Dell has absconded? A. He has—I have never seen him since—he is about eighteen years old.

WILLIAM HOWELL. I am hay-binder to the prosecutor. On the 28th of April I bound twenty-five trusses, and put on the cart. Dell loaded

it and drove it away—I am sure there were twenty-five trusses—it was to go to Tanner and Baylis.

WILLIAM HOLLIS. I work for Tanner and Baylis at Longford—I gave directions for the hay to be sent from Mr. Tillyer's. On Tuesday afternoon about a quarter to five o'clock, I saw Dell driving the hay towards my master's stables—he was going to bring it to me—I was waiting to take it in—I know the prisoner—he keeps the White Horse public-house at Longford—Dell had to pass his house—I saw the cart come by the house—I saw a truss on the ground—I did not see it thrown off the cart, but it must have been *chucked* down, or have tumbled down—I saw the prisoner take it up and take it away directly into his premises—the rest of the hay was delivered to me—twenty-four trusses only came to me—I saw the prisoner afterwards—I asked him how he came to buy the truss of hay—he said he did not know but what it was a jockeyman's cart, and the man had a right to sell it—Mr. Tillyer's cart often passes that road—I do not know whether Mr. Tillyer's name was on it.

Cross-examined. **Q.** I believe the prisoner has only had the public-house about five weeks? **A.** It may be six or eight weeks.

JAMES TILLYER re-examined. My name was on the side of the cart—as the cart went towards the stable it would be on the off side, and he would not see it.

MR. BALLANTINE called

SARAH CLEMENTS. I remember Dell passing the prisoner's house one day with a hay-cart—the prisoner called out to him and said, "Can you sell me a truss of hay?"—it was done publicly—any body by might have heard him—he said, "Yes," when the next cart came—he asked the price, but he did not answer him then.

COURT. **Q.** What is your husband? **A.** A labourer—I saw the money paid afterwards, after the hay had been delivered—the man said it was 1s. 6d.—I saw the prisoner fetch the money.

(The prisoner received an excellent character.)

NOT GUILTY.

Before Mr. Justice Patteson.

1417. **JOHN EVENDEN** was indicted for stealing, on the 20th of April, a certain letter, containing 1 shilling, the property of Thomas William Earl of Litchfield, her Majesty's Post Master General, whilst employed by and under the General Post Office.—2nd COUNT, for embezzling the same.—Other Counts varying the manner of laying the charge.

MESSRS. SHEPHERD AND ADOLPHUS conducted the Prosecution.

FERDINAND GALANTE. I live at Tottenham. On the 20th of April I wrote a letter to Mrs. Drewer, and directed it, "Mrs. Drewer, 14, Hollen-street, Wardour-street, Oxford-street, first floor back" and "paid"—I put 1s. in the letter, and put it in the post at Islington, and paid 1d. with it—I have since seen the pieces of the letter—(*looking at them*)—these are the pieces which formed the cover of the letter.

THOMAS GAPES. I am inspector of the letter-carriers at the Branch-office, Charing-cross—the prisoner was a letter-carrier there on the 20th of April—it is the duty of the carriers to sort the letters in the office, without reference to whether they are in their own delivery or not—these pieces of cover bear two stamps, one of the Islington office, and the date stamp of the post-office, St. Martin's-le-Grand—that would come to the office in Charing-

cross on the evening of the 20th of April, and might pass through the prisoner's hands in sorting the letters.

Cross-examined by MR. PHILLIPS. Q. Would it necessarily pass through his hands? A. No, there was one other sorter, named John Gordon—(*looking at a book*)—it is not from this book that I find that out, but we have more than one sorter—they change in the course of the day, one one hour, and another another hour—that letter should have been sorted at eight o'clock at night for delivery—I was not at the office myself at eight o'clock, and did not see who sorted them—there are sometimes three or four sorting at the same time—I cannot tell whether they had assistance that night.

MR. SHEPHERD. Q. Was it the prisoner's business to sort the letters that night? A. It was—I have the book here which the sorters sign—the prisoner's name is signed as a sorter that evening—I know his writing.

MR. PHILLIPS. Q. Are there not many other names here? No, they are letter-carriers—it was the prisoner's duty to sort for the division—the letter-carriers sign whether they sort or not—this does not show that he was a sorter, but that he was on duty, and it was his duty to sort the letters—people could not be brought from the office to prove that he sorted—he would be seen doing it, but at this distant period there would be a difficulty in proving it—the prisoner has been about eleven months in the Post-office.

ANN DREWER. I am a widow. On the 20th of April I was staying at No. 14, Hollen-street, Wardour-street—I expected a letter from Mr. Galante, of Tottenham, with money in it—I never received it.

GEORGE MARTIN. I am an inspector of police. On Wednesday evening, 22nd of April, I saw the prisoner in Gardener-lane station-house in custody, charged with stealing two letters—I asked where he lived and his name—he told me No. 18, Eccleston-street East, Pimlico—I asked what part of the house—he said the first floor back—I went there—I received a letter from the prisoner before I went, and a key of a box was taken from him in my presence, and delivered to me—he said the key belonged to his box—I went to his lodging with Mr. Gapes, and was shown the first floor back room by Kenny, the landlord—he opened the room door for me—it was not locked—in the grate among several other pieces of paper torn up I found these six pieces—there was no fire in the grate, but a piece of paper put there, and these pieces were behind it with several others—on putting them together, collecting them from the other pieces, I found it formed this address—the other pieces appeared to be parts of a letter smaller than this—there was a box in the room—I unlocked it with the key which he said was his—I found nothing suspicious there.

ELIZABETH KENNY. I am the wife of Patrick Kenny, and live at No. 18, Eccleston-street, Pimlico; the prisoner lodged with me. On the 20th of April, the policeman came to my house—my husband went up to the back-room first-floor with him and another gentleman—the prisoner occupied that room.

Cross-examined. Q. Had you any other lodgers? A. Yes, but not in that room—I had three men lodging up stairs.

MR. ADOLPHUS. Q. Did the other lodgers live in separate rooms from the prisoner? A. Yes.

JURY. Q. Were any of your other lodgers in the Post-office? A. No,

one is a bell-hanger, the other works in the Park, and the other at a mill—I know that from themselves, and by their work, and seeing the tools they work with.

MARK BEACHAM PEACOCK. I am solicitor to the Post-office. Thomas William, Earl of Litchfield, is Postmaster-general, and was so in April last.

(George Flatworth, coffee-shop keeper, Pimlico, deposed to the prisoner's good character.)

GUILTY.

1418. JOHN EVENDEN was *again* indicted for stealing, on the 22nd of April, a certain letter, containing 1 sovereign, 1 half-sovereign, and 1 groat, the monies of Thomas William, Earl of Litchfield, her Majesty's Postmaster General.—Other COUNTS charging him with embezzling and secreting the same.

WILLIAM ABBOTT. I am a letter-carrier in the Two-penny Post-office, Charing Cross, branch-office; the prisoner was also a letter-carrier in the same office. On the evening of the 22nd of April, I was employed in sorting letters at the office, and so was he—he is a sorter when he is in the office—he sorts for the South Western division—he was sorting there that evening, and I observed when he came to one letter he took particular notice of it—he felt it, and did not place it in the box before him—(there were seven boxes before him for the different divisions)—instead of placing it in one of them, he placed it underneath the other letters—he then sorted into the different boxes till he got to that letter again, and then he took up other letters and placed on the top of it a second time—when he had sorted them into the different walks, he took this letter to his own desk—I had suspicion that the letter did not belong to his walk, and I informed Mr. Gapes, the Inspector—he went to him in a short time, when he was about to leave the office, and asked him for his bag and letters—he took his bag and letters, and out of his bag Mr. Gapes took two letters and an account-book—one letter was much less than the other—I should know the letters which were taken out of the bag—I should not be able to recognize the letter he took to his own desk—not by the direction—I noticed the two letters that were taken out of the bag, and read the address of one—it was, “Mr. Seymour, gold-beater, Long Acre”—(*looking at a letter*)—this is it, and I believe it to be the letter which he put behind the others—Mr. Gapes only took two letters out of the bag—there were no more in the bag.

Cross-examined by MR. PHILLIPS. Q. How near were you to him when he was sorting? A. If we had stood upright I might have been a yard from him—I was not a yard from him—I was leaning over the desk opposite his desk—I had no occupation then—I was merely a looker-on—I was near enough to have read the addresses if they had been held up to me, not without—the backs of the letters were generally towards me—he might sort sixty letters altogether, or it might be one hundred—we have never been intimate, nor unfriendly—we have not been at all cool to one another—the desks in the Post-office are open—there were two or three persons sorting at them—I do not believe there were four, but I could not swear it—the letter-carriers generally keep their bags in the box, I believe—they may be put in the desk at times—I have never seen them in the desk when the letters have been there—when they come in sometimes, and all the letters are emptied out of the bag, they may put the bag in the desk—I have not seen it done—I have seen a bag in a desk, but never when they were sorting.

MR. ADOLPHUS. Q. He was sorting at a desk, and you at the opposite side? A. Yes, I could not read a direction upside down very well.

THOMAS GAFES. I am Inspector of the letter-carriers at the Branch-office, Charing Cross. On the evening of the 22nd of April, Abbott gave me information, and I examined the prisoner's bag—I found there two letters, and a small memorandum-book, in which they keep their accounts—I asked him how they came there—he at first said he did not know, and then that somebody must have put them there—I said he had placed himself in an awkward situation, and sent for an officer—he had been employed that evening in sorting paid letters—this is one of the letters I found in his bag—it is directed to Mr. Seymour, gold-beater, No. 38, Long Acre, London—this is a paid letter—the prisoner is a letter-carrier as well as a sorter—that letter was not in his walk—he had no right with that letter in his possession at that time—it bears three stamps—one Reading, the paid stamp of the General Post-office in St. Martin's-le-Grand, and the date stamp of the Two-penny Post-office, St. Martin's-le-Grand, 8 night, April 22—that would not be in the office as a dead letter—it was sealed when I found it—the prisoner at that time had a bundle of letters prepared for delivery—it was not among them—they were not in the bag.

Cross-examined. Q. Where were the letters he had for delivery? A. They were lying in his desk—he said he must have taken them up in mistake, as dead letters—there are occasionally mistakes made by sorters—the prisoner has frequently returned dead letters to me—he was at his own desk when I went to him—the seals of both letters were unbroken.

MR. SHEPHERD. Q. What is a dead letter? A. A letter which has been taken to the address, and they are not able to deliver it, and return it as a dead letter—the dead letters he has returned to me were on his own walk.

JAMES EDWARD SEYMOUR. I am a gold-beater, and live at No. 38, Long Acre, in partnership with my father. This letter was not brought to me by any body from the Post-office—I saw it at Bow-street, and opened it—it contained one sovereign, a half-sovereign, and a four-penny piece—it purports to be written by Mr. Butler, of Reading, who is a correspondent of ours.

MARK BEACHAM PEACOCK. I am solicitor to the Post-office. Thomas William, Earl of Litchfield, is Postmaster General, and was so at that time.

GUILTY. Aged 21.—Transported for Life.

Before Mr. Justice Coltman.

1419. RICHARD HARPER was indicted for feloniously breaking and entering the dwelling-house of John Bacon, on the 31st of December, with intent to steal, and stealing therein, 3 coats, value 9*l.*; 1 pair of trowsers, value 1*l.*; 3 frocks, value 3*l.*; 1 cloak, value 50*s.*; 1 shawl, value 10*l.*; 1 watch, value 2*l.*; 9 spoons, value 2*l.*; 1 pair of sugar-tongs, value 8*s.*; 2 brooches, value 6*s.*; 2 pens, value 6*s.*; 3 seals, value 1*l.*; 2 rings, value 7*s.*; 2 watch-keys, value 7*s.*; 3 sovereigns, and 1 half-sovereign; his property.

MR. DOANE conducted the Prosecution.

ELIZABETH BACON. I am the wife of John Bacon, and live in Wheeler-street, Bethnal-green; we keep a chandler's and beer shop. On the 31st of December, between five and six o'clock in the evening, I went up into my

bed-room and fetched down two spoons—I locked the door, and left the property stated safe—two men came in as soon as I came down stairs—I had the tea-spoons in my hand, I laid them on the table, and drew the men some ale—they staid there above half-an-hour, and were served twice—one of them went out of the shop-door into the street twice, and returned, and both went away about six o'clock—I have a side-door to my premises, and the man might have gone in at that door, when he went out, without my knowing it—that door would lead up to the bed-room—about nine o'clock I found the bed-room door broken open, and missed all this property from there—the door was standing quite open, but the lock was not injured—it was unlocked—there was a yellow crape shawl among the articles I missed—I saw that at Lambeth-street about a fortnight afterwards—this is it—(*looking at it*)—it was in the drawer that night.

Cross-examined by MR. CLARKSON. Q. I believe your side-door was found open about half-past six o'clock? A. The bed-room door was seen open at half-past six o'clock—the men left about six o'clock—Duffey was one of the men—he has since been transported—he was the man that went out—the other man's name was Flowers—I went originally to Lambeth-street against the prisoner, and he was discharged—he was taken up again the next day by the officers—I went to Lambeth-street on the 1st of January, the day after the robbery—I went to Worship-street, I believe, in April—the officers came and told us to attend—the property is worth 25*l.*, but it is worth more than that to us.

THOMAS CUMMINS. I am a police-sergeant. On the 1st of January I was on duty in Rosemary-lane, about ten o'clock in the morning, and saw the prisoner with another man standing at a clothes-shop door—in consequence of information I had received, I wished to take them both into custody—I pushed the other man into the shop, and the prisoner ran away—I overtook him about thirty yards off—I took off his hat, and found this crape shawl in it—I told him I must take him to the station-house—he said, “I have a wife and family, and I will not be transported for any body; I did not steal it; my brother Charles, George Duffey, and Samuel Harmer, brought a bundle to my house last night about eight o'clock, containing a silver watch, some silver spoons, and some clothes; they went away, and came back in about a quarter of an hour; they gave me the shawl, and took the bundle away with them; my brother Charles has left some skeleton-keys at my house, and if you will go with me I will give them to you”—I went with him to his house, and he took off the window-ledge a bag containing four double-headed skeleton-keys, one of which will open the prosecutor's bed-room door—I took him to Lambeth-street—he was examined there four times, and discharged about the end of January—on the 4th of April he was given into my custody again, and I took him to Worship-street before Mr. Broughton, and he was committed on the 20th.

Cross-examined. Q. One Magistrate discharged him on a statement which another Magistrate committed him on? A. Just so—there was no alteration of the circumstances—I have been an officer nearly ten years—Duffey was transported last Session for burglary—I do not know the prisoner's brother Charles—I had no knowledge, when I took the prisoner, that he had skeleton keys of his brother's at his house—I had not communicated to him what I was looking for—I did not know where he lived—but for his disclosure I should not

have been able to find the place where he said the keys were—I stated all these facts to the Magistrate.

MR. DOANE. Q. What is the name of the parish where the robbery was committed? A. St. Matthew, Bethnal-green—the prisoner was ordered into custody by Mr. Broughton, at Worship-street—he was admitted to bail—his brother was taken for another burglary, and I ordered the prisoner to attend at the office, to see if we could make out a case against him and the others, and the Magistrate ordered him into custody.

COURT. Q. Was he examined as a witness against his brother? A. No—he was fully committed on the 20th of April—Flowers was in custody at Lambeth-street, and underwent four examinations—I did not know Harmer, nor Charles, nor Duffey, until the prisoner took me to his house, and pointed him out to me—I then took him—he was the means of my getting Duffey, who was transported for another burglary.

Q. Was there any intention to make use of the prisoner as a witness? A. He was kept separate from the other prisoners—he was sent to the House of Correction, while the others were at the New Prison—that was when he was at Lambeth-street—Duffey and Flowers, and the one who was with the prisoner when I pushed him into the shop, were in custody—Flowers is now at large.

MR. CLARKSON called

ANN TUCKER. The prisoner married my daughter; he has three children. On the 31st of December he lived at No. 2, Crown-court, Little Pearl-street—I remember his being taken to Lambeth-street on this charge—he was at home on the evening of the 31st of December—he was taken into custody next day—he was not out at all that evening—I went to see my daughter, and she was at her work—I got there about six o'clock, and staid till nearly seven—he did not go out during that time—I left him at home with his children—he lives in Spitalfields parish—he was at home when I went, and I left him at home.

MR. DOANE. Q. Are you married? A. I am a widow—I weave velvet—I have work at home now, and was in work at that time, for the same employer—I live three or four minutes' walk from the prisoner's—I went there, it being the last night of the old year, I thought I would see my daughter—next day, between twelve and one o'clock, she came and told me that he was taken into custody on a charge of burglary, in Wheeler-street—she said she had heard he was at Lambeth-street, and asked me to go and see if I could find where he was—I heard he was charged with being in Wheeler-street—I knew it was impossible that he could have been there.

Q. Why not go and tell the Justice so? A. I did not know that I could be there in time—I did not know it was necessary that I should go—I was backwards and forwards—I did not see him to speak to him between the 1st of January and the 28th—I told the gentleman at the prison that he could not be the guilty party—I tried to get into the Justice-room, but they would not let me in at Lambeth-street—I went several times, and they would not let me in at all—I went with my daughter, and left him some clean linen and a shilling—they said I might leave what I liked, but I could not see him—I saw him when he was out on bail—I knew he was charged with this—I did not go and tell the Justice at Worship-street—they would not let me in—I think I went three times, but I am not certain.

THOMAS CUMMINGS re-examined. The prisoner lodges five or six minutes' walk from the prosecutor's.

NOT GUILTY.

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Before Mr. Justice Patteson.

1420. GEORGE ALCOCK was indicted for feloniously forging, on the 4th of March, at London, an order for the payment of 200*l.*, with intent to defraud John Wright and others.—2nd COUNT, for uttering with like intent.—Other COUNTS, stating it to be with intent to defraud Robert Alexius Pope.

MESSRS. BODKIN and JERNINGHAM conducted the Prosecution.

JOSEPH HAY. I am a clerk in the banking-house of Messrs. Wright. In March, 1837, the Rev. Mr. Pope kept an account at our house—this cheque (*looking at it*) was presented at our house on the 4th of March, 1837—I cannot say that I recollect the person who presented it—I paid the 200*l.*, for which it is drawn—this 10*l.* note, No. 5128, dated 15th December, 1836, is one of the notes I paid; and this 20*l.* note, No. 8132, dated 27th January, 1837, was also paid at that time—here is one name written on each note of a customer of the bank—on the 20*l.* note there is also something like the name of Alcock, and on the 10*l.* note also—this 20*l.* note, No. 8133, dated 27th January, 1837, is also one of the notes that was paid.

Cross-examined by MR. CLARKSON. Q. Is the name on the front or the back of the notes? A. On the front of one, and the back of the other—I think it looks something like the name of Alcock—the impression on my mind is that it is Alcock.

Q. Is it your custom to pay a cheque dated in the country without a stamp? A. I was not to know that it was drawn in the country—I ascertain where a cheque is drawn from the place whence it is dated—I do not think I knew where Mount Carmel-house was at that time—I now understand it is in Worcestershire—I never heard of such a house within ten miles of London, but there are many houses in London which I do not know—I do not think I observed the place at all where it was drawn—we very seldom have time to read the whole of a cheque—I know that cheques drawn in the country should bear a stamp—I do not always read the whole of a cheque—I cannot call to mind whether or not I read the whole of this—Mr. Pope has been a customer of Messrs. Wright perhaps two or three years, but I do not know—I have paid some cheques of his, not many—he has not been in the habit of drawing many—I have paid cheques in favour of Alcock—I should say, one or two, from memory—I thought this to be Mr. Pope's writing, or I should not have paid it—I think now that there is a great similarity, so much as induced me to pay it—I should say it was Mr. Pope's writing certainly from the similarity of the character in general, without close inspection, but when I have Mr. Pope's own cheques put before me, and compare it, it is a different thing—there is then a discrepancy—I believe it is usual for Mr. Pope to have the name of the banker in a different handwriting to the other part of the cheque—I do not recollect whether it was a man, woman, or child, I paid the money to—I have the numbers and dates of the notes entered in my book—I entered them when I paid them away, and have the books here.

MR. JERNINGHAM. Q. By what part of a cheque do you generally judge of its validity? A. From the name—I considered it to be genuine at the time.

JAMES CROSBY. I am a solicitor, practising in London, and live in Church-court, Old Jewry. I became acquainted with the prisoner in, I think, 1836—he was introduced to me by a client of mine, named Latchford—I made inquiry about some property it was supposed he and others

were entitled to—I found there was an old suit pending in Chancery respecting it—I had occasion to expend some money in the object of my inquiry—I received from the prisoner, at various times, 100*l.* altogether—in January, 1837, I had occasion to go down to Redditch, in Worcestershire, and there saw Mr. Pope—I had seen him in January the preceding year—I communicated with him respecting the proceedings I had taken, and in consequence of what I heard from Mr. Pope in 1837 I made application to the prisoner—in consequence of what transpired between me and Mr. Pope the prisoner was sent for to Mr. Pope's—he was living at Redditch at the time—a great deal of conversation took place as to monies he had obtained from Mr. Pope—Mr. Pope said, in his presence, that he had obtained 495*l.*—the prisoner promised to repay it—he never did repay it, to my knowledge—in March, the same year, I was deputed by Wrights, the bankers, and other persons, to go to France—I found the prisoner at Paris, and had conversations with him on the subject of his affairs, and the claims against him.

Cross-examined by Mr. CLARKSON. Q. Did you act as his attorney at that time? A. No—I acted as attorney to the parties interested in the suit, but he was not a party to the suit—I did act as his attorney—I never gave him notice of my discontinuing to act as his attorney—he had run away, and I could not—I had only been concerned in one action for him.

MR. BODKIN. Q. At the time he left England had you any business of his in which you were acting as his attorney? A. I had had one action on a bill of exchange, in which he was plaintiff—it was alleged that he had forged it—a rule is now pending for a new trial, which is not disposed of.

Q. Did you receive the 100*l.* you had from the prisoner as client, or in what capacity? A. I considered him as agent for the various claimants—they were numerous—I went to France, as representing Messrs. Wright, Pope, and Latchford—the forgery of this cheque had been discovered, and on seeing the prisoner I represented what I came about—I told him I was desirous of getting back some of the money he had taken away with him—he said he had none—I asked him what he had done with the 200*l.* that he had got by forging Mr. Pope's name, at Wright's—he gave me some details, which I wrote on the back of a letter, in pencil—this is the memorandum I made—(*looking at it*)—he said he had sent 20*l.* to Milward, 20*l.* to Whitehouse, 20*l.* to Mrs. Alcock, 20*l.* to Ferrell, 10*l.* to Emmett, 10*l.* to the Thatched-tavern, and 10*l.* to things pledged—that amounts to 110*l.*—I do not remember that he gave me any further account—I returned to England, leaving him there—I saw him again on the 14th of April, this year, in Cateaton-street, City—I said, “Is that you, Alcock?”—he said, “How do you do Mr. Crosby?”—I said, “I want you to go with me to Messrs. Wright's”—he said, “What for?”—I said, “About the forgery”—he said he would not go—I then asked him to go to Mr. Latchford's—he said he would not go there—I told him if he did not go to one place or the other with me, I would give him in charge of a policeman—he then walked away—I followed him, and again persuaded him to go to Wright's or Latchford's, but he declined doing so—at last he said he would, but he walked in a contrary direction—and as I saw he did not intend to go, I gave him into charge of a policeman in Moorgate-street—he said I could not give him in charge, I had no warrant—the policeman took him to Cripplegate station-house, where I stated the charge—he said first of all, “Now pray, Mr. Crosby, let me go with you to Latchford's or to Wright's; pray let me go”—he did not say that aloud—I told him I could

do nothing in it, I had given him the chance—I was detailing the charge, that he had forged a cheque, and he said, pointing to me, "And that is the villain that has had the money"—I have frequently seen him write.

MR. CLARKSON. Q. Have you seen him write when he has been a client of yours? A. Yes, he has frequently written letters in my office—I do not know whether that was before I brought the action I refer to or not—I should think it was before.

MR. BODKIN. Q. Look at this cheque, whose hand-writing do you believe it to be? A. I believe the whole of it to be in the prisoner's hand-writing, except the words "Wright and Co."—I believe these two letters, also, to be his hand-writing—(*looking at two.*)

Cross-examined. Q. Who is Mr. Latchford? A. A bitmaker, in St. Martin's-lane—I looked to the fund for the costs in this Chancery suit—there was a fund in the hands of the solicitor to the Treasury—I believe it was not in Court—there is an old suit of Wilding and Boulden—there was a portion of the estate of a man named Laurence, who died intestate in America—the solicitor to the Crown had obtained administration, and it is for the recovery of that and other property the suit is—they talked of a large sum—I believe there is about 7000*l.* in the hands of Mr. Maule—I was employed to take my share in the transaction, by some old people named Wilkinson, of whom the prisoner is either nephew or grandson—he brought me their retainers—that was very likely at my instance—he was a client of mine in the action, but I did not consider him so in any other respect—I viewed him as the agent of the parties in the suit—he was so mixed up with the suit, and the result of it, that I considered him as one of my clients certainly.

Q. How came you to be employed by Messrs. Wright to go to France, was it at their instance, or at yours? A. That I can scarcely tell you—I never knew Messrs. Wright prior to the transaction—I went to them—I should think I applied to them to act on their behalf when I got to France—I have no doubt of it—my object was not to take the man into custody, it was to get some of the money back—I intended to have brought him back here—my object was to get the money, and to take him into custody—the first time I saw him in France he was in custody—I told him my object was to put him into custody, and then I asked him about the forged order—I said I wanted to know what he had done with the money obtained from Messrs. Wright, by forging Mr. Pope's name, and then he gave me the account I have stated—that remark was preceded by the statement that I intended to give him into custody—I did not put him into custody there—I was the medium by which he was put into custody—I had taken with me his acceptance in favour of Latchford, and went to France, to ascertain what could be done with him, whether he could be sent to England or not—and under the advice of a French *avocat* I endorsed the bill to a Frenchman, who took proceedings against him, and had him arrested.

Q. You put your name to it, in order that the Frenchman to whom he owed nothing might arrest him? A. Yes, to get back the money he owed Latchford—I did not go on with the suit after he left—I have a brother—I know there were dealings between him and the prisoner—I never knew the prisoner had made advances to him—I do not know that he owed him money—my brother went to India in May 1837, and is now a partner in one of the first houses of Calcutta—the prisoner went to France in March 1837—I am not acquainted with the friends and connexions of Mr. Pope

—I have no witness from Redditch to tell whose hand-writing the cheque is—I am not the attorney for this prosecution—Messrs. Wright asked me to take it into my hands—they put it into the hands of Mr. Humphries—I am not in any respect acting professionally in it—I did not expect the prisoner was in England when I saw him in Cateaton-street—I do not know how long he was in prison at the suit of the Frenchman, but I think from information sent me from Paris that he was in prison two years—I think I never saw him write except in my office—that was not on the subject matter of the suit—I think it was on the subject matter of Mr. Pope's money, as it turns out.

MR. BODKIN. Q. Have you any letters among your papers addressed by the prisoner to——? A. A great many.

REV. ROBERT ALEXIUS POPE. I am a Roman Catholic clergyman, and live at Mount Carmel-house, Redditch, Worcestershire. I have known the prisoner about four years, and have corresponded with him perhaps between thirty and forty times—I am acquainted with his hand-writing—I was in the habit of sending him cheques on Wright's bank at times—they were dated London—they were on the top of a letter, so as to have that part torn off—I filled up the cheques all but the banker's name—I think I have occasionally filled up the banker's name—I am not quite sure, but in general I did not—they were remitted by the post—with the exception of one or two I filled up the cheques in the manner I have described—I omitted nothing but the banker's name—this cheque—(*looking at it*)—is not my hand-writing, not a single word or letter of it—I never gave any body authority to draw that cheque—I believe it to be the prisoner's hand-writing, and these two letters also—in March, 1837, I had an account at Wright's—about that time I received a letter from Wright's containing this cheque—I have not got the letter—I fear it is destroyed—I immediately sent the cheque back to Wright's, and stated my opinion of it—I made pecuniary advances to the prisoner on the affair of Wilkinson's law-suit—in January 1837, Mr. Crosby paid me a visit—the prisoner was present at one interview, and it was agreed that I should allow him no more money, that I should send no more money up to him.

Cross-examined. Q. Did you know any of the Wilkinsons at all? A. I did—I was acquainted with them, and knew there was a Chancery suit—I knew that before I knew Mr. Crosby—I have never been in the habit of advancing money to persons to carry on suits—this was an act of kindness on my part—I never stipulated that there should be 10,000*l.* coming to me.

Q. On your oath, was it not understood that you were to have 10,000*l.*? A. It was understood, but I did not ask it myself—I began to make advances without any promise—I advanced 495*l.* altogether—I did not employ the attorney—I was warned against that—I advanced the money to the prisoner that he might do so—I cannot positively say that I have seen the prisoner write—I judge of his hand-writing from the letters which I have received from him, nothing else—I am not quite sure whether the 10,000*l.* was understood to be increased to 20,000*l.* at any time—it might be—I never heard that so much as 48,000*l.* was to be advanced—Mr. Crosby mentioned something about 7000*l.*—I was never in the habit of sending the prisoner cheques in blank—I never left the amount blank—I told you I always wrote the cheques, except the banker's name—the prisoner was acting as agent in the suit—I was advancing the money through him to Mr. Crosby, or any other solicitor he chose to carry on the suit—he had

the power to choose the solicitor—I believe I never authorized him to use my name at all in the suit—I think I can swear it, but I believe I did not—indeed I am almost sure I did not—I dare not go beyond that—I have not heard from Mr. Crosby what costs there are in the suit—I have paid no money to Mr. Crosby as costs—I am not the prosecutor of this case, I am only a witness—I did not authorize the apprehension—I was not aware of it till I was informed—I learnt it from Mr. Crosby—I paid 20*l.* as my share of the expense of sending Mr. Crosby to France—I do not keep any cheque book, and have no margins to which I can refer for the cheques I draw—I generally mark them down in my day-book—I have not got my day-book with me—my habit is to draw cheques on plain paper.

MR. BODKIN. Q. Do you draw many cheques? A. I have drawn several—I do not know how many in a twelvemonth—I should not think I draw twenty in a year—I think I had advanced rather better than 100*l.* when the suggestion was made to me about the 10,000*l.*—the 10,000*l.* was not for my own private advantage—it was to be applied in ecclesiastical matters—building a church, or something—I was not to be personally benefited, except having what I had advanced—I never gave the prisoner authority to put my name to cheques, or to any instrument—these are letters which I have received from the prisoner—(*looking at some.*)

MR. CLARKSON. Q. Have you neighbours, acquaintances, and friends, who know you at Redditch, and the neighbourhood? A. Yes.

BENJAMIN LATCHFORD. I am a bit-maker, and live in St. Martin's-lane. I have been acquainted with the prisoner about six years—I come from Birmingham, which is fifteen or sixteen miles from Redditch—in 1836 Mr. Crosby was my uncle's attorney—my uncle is still living—he is the proprietor of the establishment in St. Martin's-lane—he was only acquainted with the prisoner by his calling at his house for me—the prisoner was introduced to Mr. Crosby by me to carry on this inquiry—I have had dealings with him myself, and seen him write—I should say this cheque is his hand-writing—I believe it to be his—I am not quite certain when he left this country—he was in my uncle's debt when he left, between 83*l.* and 84*l.*

Cross-examined. Q. What have you seen him write? A. Some letters of different descriptions on many occasions, while he and I were acquainted, between 1836, and his leaving London, I cannot tell the time to a week—I do not keep any shop myself—I have no business of my own—I am servant to my uncle—I became acquainted with the prisoner on his coming to London in the suit I alluded to—he came and asked me if I knew one solicitor to be better than another to put it in his hands—I occasionally lent him a trifle of money, sometimes 5*l.*, sometimes 10*l.*, and he paid me again—that was my dealings with him—I was told I was to benefit by the Chancery suit, and he said he would make the arrangements for me—I do not recollect the amount of the share I was to have—I should think it was 400*l.* or 500*l.*

JAMES HUTCHINS. I am a policeman. I took the prisoner on the 14th of April—he rather hesitated at first to go, saying I had no right to take him, unless I showed my warrant—I told him it was not required if the gentleman preferred a charge against him—I would take him, and then he walked with me to the station-house.

*The cheque, dated "Mount Carmel House, 2nd March, 1837," for 200*l.*, signed, "Robert Pope," was here read, also two letters, one addressed to*

"John Milward, Redditch, 4th of March, 1837," enclosing a 20l. note, stating the number to be 8133, dated 27th of January. The other was as follows :—

"Giltspur-street Compter, April 18, 1840.

"REV. SIR,—I suppose that I need give myself the trouble say that I am in this prison, as you are already informed of the fact, but I humbly solicit your attention to the under-mentioned, that is, that if you *wise* pardon where I have transgressed, I am about to enter on a good situation, and I will pay to you quarterly, or yearly, the one half of my wages, be what they may, and my employer shall come with me, and you shall receive it from his own hands. Surely, sir, after all the suffering I have endured, you will not, with this Crosby, to try to inflict any thing further. You must received them humble and heart-rending letters which I have written you, one after the other in succession, in which you have read over the full details of my sufferings in France; and now I have scarcely held up my head; I am locked up in a prison here. Oh, I hope Almighty God will so operate on your feelings, that you shall be induced to act the merciful part. I need not remind you, that your Lord and Master Jesus Christ observed to St. Peter, 'Yea, seventy and seven you must forgive.' And in my present situation I have nothing; and if you could ever so much punish me, would you be better? No. The Lord move your heart the right way; and should I keep paying you till I die, and then be deficient, may He, in his goodness, make it up to you, and restore abundance of his mercies to your person in this world and the world to come. Amen, is my prayer.

G. ALCOCK."

"Even if you do come, I shall never believe it was your own will in so doing; and if you do, I shall forgive you, as you are injured; but remember your God, whom you serve, will not forgive you, if you cannot show mercy to your brother after all. There is one thing in my favour, that is, your money has been got from me, and I can prove it; therefore, you had ought the sooner to show me pity, after all my sufferings. I must leave it with God and yourself. If you come up here, they will force you into things you would regret. If you keep away, there is no compulsion, and it may be Mr. Crosby will bring you into something to make claims on you.

"Rev. Robert Pope, Mount Carmel House, Redditch."

(Benjamin Bullitt, shopman to Mr. Emmett, of Holborn Hill; and Thomas Stevens, carpenter, No. 58, King's-cross; deposed to the prisoner's good character.)

GUILTY. Aged 41.—*Strongly recommended to mercy, on account of his imprisonment in France.*—Transported for Fifteen Years.

Second Jury, before Mr. Sergeant Arabin.

1421. WILLIAM CHARLES ROUSE was indicted for feloniously forging and uttering, on the 2nd of September, an order for the payment of 225l., with intent to defraud Solly Joseph Manning.

(Mr. Clarkson, on the part of the Prosecution, offered no evidence, not being able to prove that the prisoner might not consider he had authority to sign the instrument.)

NOT GUILTY.

1422. RICHARD ROBINS was indicted for stealing, on the 7th of April, 6 yards of woollen cloth, value 20s., the goods of our Lady the Queen: also, on the 14th of February, 4½ yards of linen cloth, value 5s.: also, on the 29th of February, 3½ yards of linen-cloth, value 3s.; 3 yards of linen-cloth, value 3s.; 2 yards of linen-cloth, value 2s.; 2 yards of woollen-cloth, value 6s.; 3 yards of linen-cloth, value 3s.; 1 pair

of woollen-cloth trowsers, value 5s.; 1 other pair of woollen-cloth trowsers, value 5s.; and 5 yards of linen-cloth, value 5s.; the goods of our Lady the Queen: to all of which he pleaded

GUILTY. Aged 44.—Judgment Respited.

1423. **FREDERICK MILLS** was indicted for stealing, on the 14th of May, 1 handkerchief, value 1s. 6d., the goods of William Robert Freemantle, clerk, from his person.

REV. WILLIAM ROBERT FREEMANTLE. I was walking yesterday arm-in-arm with the Rev. Mr. Tyler, at the end of Oxford-street, close to Meux's brewhouse, and just as I passed a lane by the side of the brewhouse, I felt a jerk at my coat—I turned round and saw a man running away—I called "Stop thief," and pursued—a man stopped him, and we gave him into custody—my handkerchief was gone from my coat pocket—I saw him throw it on the ground—the prisoner is the man—I never lost sight of him at all.

WILLIAM SELF. I am a policeman. I saw the prisoner fling the handkerchief down as he ran down Church-street—I took it up and followed.

Prisoner. I did it through want.

GUILTY. Aged 19.—Confined Three Months.

1424. **JOHN TIBBY** was indicted for stealing, on the 21st of April, 1 watch, value 19l.; 1 watch-chain, value 1l.; and 1 watch-key, value 7s.; the goods of George Dubois, from his person; and that he had been before convicted of felony; the prisoner pleaded

GUILTY to the Larceny. Aged 24.—Transported for Ten Years.

BENJAMIN BRITTEN (*police-sergeant S 249.*) I produce a certificate of the former conviction of George Tibby, which I obtained at Mr. Clark's office—(*read*)—I was not a witness on the trial, and was not present—it is a mistake on my part—the prisoner is not the person.

Q. How came you to apply for the certificate, if you were not at the trial, nor yet a witness? **A.** I thought at first sight he was the man, but after the second sight I find he is not—I was present at the trial of George Tibby, who was convicted of stealing a pair of shoes, but the prisoner is not that man.

(John Simmons, baker, North-street, Westminster, deposed to the prisoner's good character.)

NOT GUILTY of the previous conviction.

1425. **CHARLES SOUTHGATE** was indicted for stealing, on the 1st of May, 1 coat, value 1l., the goods of Frederick Allcock.

ALFRED HUGHES. I am a policeman. On the 1st of May, about a quarter past two o'clock, I was in the Edgware-road—a boy fetched me to the prosecutor's shop—I found the prisoner close against the street-door, endeavouring to get out, and Mrs. Allcock holding him by the collar—I took hold of him—he resisted—I took him into the parlour, and he struck me several times in the mouth—another constable came in and we took him to the station-house—on the way he said he was b— well sure they would lag him for it—I said, "Perhaps you will get discharged"—he said, no he knew better than that.

SARAH ALLCOCK. I am the mother of Frederick Allcock. This is his coat—it laid on the bureau—I was in the front kitchen at work—I went up to speak to my little boy, and as I returned I saw the prisoner standing in the kitchen with the coat in his hands—he saw me, dropped it, and went up stairs—I followed him into the passage, and detained him while my daughter went for the policeman, who took him—he was quite a stranger.

(The prisoner put in a written defence, stating that he was very much in liquor at the time; that his skull had been fractured, and when intoxicated he was not in his senses.)

ALFRED HUGHES *re-examined*. He was perfectly sober.

MRS. ALLCOCK *re-examined*. He appeared intoxicated when I first detained him, but I am not able to say whether he was so or not—he went up stairs very well.

GUILTY. Aged 27.—Transported for Seven Years.

1426. JOSEPH HAZELL was indicted for stealing, on the 10th of January, 1 truss of hay, value 2s., the goods of Richard Hatch, his master; and WILLIAM SHACKELL, for feloniously receiving the same, knowing it to be stolen; against the Statute, &c.

MR. PAYNE conducted the Prosecution.

WILLIAM PUTMAN. I live at Chalfont St. Peter's, near Uxbridge. In January I was carman to Mr. Richard Hatch, and on the 10th of January I went to town with the prisoner Hazell, with a load and a half of hay—master allowed me two trusses of hay to feed the horses with—we took two that journey for the horses—on coming back we stopped at the Coach and Horses public-house at Ealing, about two o'clock in the day, and put the horses in, that they should have their hay which my master allowed—I went into the public-house to have a pint of beer, and while there I saw Hazell take a truss of hay off the wagon, and carry it into the stable to Shackell—I went to the stable on purpose to untie the truss of hay to give the horses some—Shackell prevented me from touching it, and said, "That is my hay"—I said, "How came it your hay?"—he said, "I have bought that truss of hay of John Hazell"—I went and fetched Hazell to Shackell, and said, "Hazell, have you sold this truss of hay?"—he said, "Yes, it is all right"—while I was talking to him, Shackell took the hay up and carried it from that stable to another—I said, "We have got nothing to feed the horses, I shall put them to and get on the road home"—I did so, and went back to Chalfont—the horses seemed distressed before they got home for want of it—as we went home Hazell said the horses looked thin—that was the first time I had gone to town with the wagon—I left Mr. Hatch's employ the last day of March—I came back on the 18th of April—I did not tell him of this, as he did not ask me about it when I came back—I went up with the wagon the next week, and six or seven weeks after—I knew this was not right.

Cross-examined by Mr. PHILLIPS. Q. You kept this all to yourself for nearly four months? A. Yes—Hazell disagreed with me before I told of it—he was always at me—he threatened, if I told, he would break my b— neck—this is the first time I have stated that—my master and I had a word or two—he did not discharge me—I left through Hazell, because we disagreed—I went away—I did not run away—I did not wish to leave if it had not been for Hazell—I had told him I would tell master of him if he would not let me alone—I told my master if Hazell would not let me alone I would tell him of this—tell him something about him—I am in Mr. Hatch's service now—my master and I had a word or two, because I hit one of the horses—I did not beat it in any ill manner—we never had a word all the time I lived there before, nor since—I went away without giving him notice—I was absent from his service three weeks—they fetched me back, and after that I told this story.

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Cross-examined by MR. JONES. Q. How long did the horses remain in the stable at the Coach and Horses public-house? A. Nearly an hour—there were four horses—they had nothing to eat when I brought them out—I do not swear they had nothing to eat in the stable—they had a little corn which my master allowed, and they were to have the hay after that—I will swear they had no hay—I was in the stable nearly all the time—I went in-doors to have one pint of beer—I left Hazell at the stable-door—the truss of hay was tied up with a band—it was not undone—I will swear that—it was not untied while it was along with me—I will swear no hay was taken out of it—when it was taken off the wagon it was put into the stable where the horses were—I went to untie it, but Shackell took it away—I swear I did not give the horses a bit of it—I had known Hazell about six weeks then—I had lived with him from three days before Christmas.

Q. Why did you not tell your master as soon as you got home? A. Because I was afraid he would get turned away—that was my only reason—I paid for the beer I drank—Hazell did not drink with me—I paid for a pint of beer for him, but I did not see him drink it—I did not tell my master of this till the 20th of April, two days after I went back—Hazell was still there—I never said I would get Hazell out of his berth there—I told Hearn, the constable, that I would get Hazell out of his situation—I told no one else till I told my master I would tell him something—I never told Mr. Penny so—I never saw him till a day or two before I saw him here—Hazell's boy used to be saucy to me, and he used to encourage him in it—I never quarrelled with him about the boy—he told me I should not touch the boy—he told me once that if I dared to beat his boy, he would take me before my master—that was not very long before I left—I never quarrelled with him before about any thing, nor since—I lived with Mr. Budd about a month after Michaelmas for six weeks—I did not run away from him—I gave him notice—I never took any earnest, and I was not hired to him—I could leave him at a day's notice if I pleased—I gave him notice before I left—he told me I should go on the Saturday, and on the Sunday I went—I lived with Mr. Wade, of Denham-park, a month—I did not go away in a hurry from there—the foreman told me to go—I was never taken up before Hearn came after me for leaving my master's service on the 18th of April—he took me before a Magistrate for leaving my service—I was not sent to gaol—I paid 12s. 6d., and was free.

MR. PAYNE. Q. How soon after you paid the 12s. 6d. did you go back to your employ again? A. On the next Thursday—I asked Mr. Hatch to take me again, and he did—I told him of this before I got back to his service—I told Hearn, the constable, if Hazell was to be there I would not, and I would get him turned away.

WILLIAM HEARN. I am a constable of Chalfont. I took Hazell on the 21st of April—I told him there was a charge of leaving a truss of hay at the Coach and Horses public-house at Ealing—he said he would speak the truth about it, he did leave some hay there, but he did not sell it, but he believed he had a pot or two of beer on it, but no money passed.

Cross-examined by MR. JONES. Q. Was Putman there at the time? A. No—I have known Hazell fourteen years—he had lived with Mr. Hatch some time—I have been a constable twelve or thirteen years—I never heard any thing against his character.

JOHN THORN. I am a policeman. Mr. Hatch gave Shackell into my charge on the 26th of April—I told him he was charged with buying a truss of hay—he said he did not know any thing of it.

RICHARD HATCH. I am a farmer, and live at Chalfont. In January Putman was in my employ—on the 10th he went with the wagon and half a load of hay to London—Hazell accompanied it—I allowed two trusses of hay to bait the horses—he had no authority to dispose of any of it for money or beer—when the horses came back they looked very thin to what they generally do.

Cross-examined by **MR. JONES.** *Q.* How long have you known Hazell? *A.* He has worked for me about twelve months—I have known him three or four years—he bore a good character for any thing I heard—there were repeated quarrels between him and Putman.

NOT GUILTY.

1427. **CHARLES BURROWS** was indicted for stealing, on the 27th of January, 1 coat, value 1*l.* 4*s.*; 1 cloak, value 4*s.*; and 1 apron, value 1*s.* 6*d.*, the goods of Thomas Lewis.

MARY LEWIS. I am the wife of Thomas Lewis, and live in Cromer-street—we sell sweetmeats. On the 27th of January, between eight and nine o'clock in the evening, a man came in and asked for some lemon-drops, and the prisoner stood half in and half out of the door—I told him to come in—he came forward, but stepped back a little, and while I was getting the things the other man kept getting between me and the prisoner to prevent my seeing him—while I was turning round to get the change the prisoner took the clothes from behind the parlour door and went out—the other went out with the lemon-drops, and while I turned round to get change for him these things were taken—he went away—I never saw my property after—the prisoner was taken two days after and sent to the House of Correction for three months—I took him before the magistrate when he came out.

Cross-examined by **MR. PHILLIPS.** *Q.* Do you remember the policeman and another man bringing the prisoner to your house two days after? *A.* Yes—I did not say that the other man was the man who asked me for the drops—he said, “You say I took away your things, did I take them?” I said, “No, I have nothing to do with you, this is the man that took my things”—that was the prisoner—the man who came with the policeman was not a policeman in plain clothes—the prisoner was taken before the Magistrate that day, and sent to the House of Correction for three months—but not on my account—I made this charge when he came out.

COURT. *Q.* You were before the Magistrate before he was sent to gaol? *A.* He had had his hearing—I did not see any thing on the prisoner's arm when he was at our house.

JULIA SMITH. I occupy the adjoining room to Mrs. Lewis. On the evening in question I came suddenly out of my parlour door, finding her door open—I heard somebody there, and conceiving it to be Mr. Lewis, I said, “It is a cold evening, sir”—nobody answered—I said again, “It is very cold to-night,” and I found I was speaking to the prisoner, who had the clothes on his arm—he took them from his left arm and placed them on his right arm—I then considered it was Mr. Lewis's son—I went and curtsied to him, and said, “Sir, I ask your pardon for the liberty,” and saw the prisoner with the coat and cloak on his arm.

Cross-examined. *Q.* What time was it? *A.* Between eight and nine

o'clock in the evening—I am sure he is the man—I had never seen him before.

GEORGE JOHN RESTIEAUX. I am a policeman. On the 29th of January I apprehended the prisoner, on suspicion of committing several robberies—I took him round to several places, amongst others to the prosecutrix—he could not then be identified—I took him back to the station-house—he was examined on this charge before the Magistrate on the 28th of April—he had three months on two other charges in January.

Cross-examined. Q. Who went with you to the prosecutrix's house? A. Murphy—he was in plain clothes—I do not remember his saying, "Do you charge me with taking your clothes?"—I never heard it—the prosecutrix did not identify the prisoner, the other witness was not there.

NOT GUILTY.

1428. HANDEL PICKARD was indicted for stealing, on the 9th of March, at Tottenham, 1 snuff-box, value 10*l.*, the goods of George Augustus Breffitt, in his dwelling-house; to which he pleaded

GUILTY.—*Recommended to mercy on the part of the Prosecutor.*
(George Whitaker, plumber, gave the prisoner a good character.)

Judgment Respited.

1429. DAVID WILLIAMS was indicted for stealing, on the 2nd of May, 1 window-guard, value 12*s.*, the goods of Thomas Dewey.

WILLIAM BEVAN. I am porter to Thomas Dewey, who keeps the Swan with Two Necks public-house, Lad-lane. On the evening of the 1st of May I missed this window-guard from outside the window—it was secured to the window—next morning I found it at Worship-street—it is my master's—I have seen the prisoner about the street at times.

WILLIAM ALDERMAN. I am a policeman. About eight o'clock in the morning of the 2nd of May, I saw the prisoner, with another man, walking along with a bundle—I asked what he had got—he said he did not know—I said, "Where did you bring it from?"—he said, "I found it in Finsbury-square"—I took him to the station-house, and found it was this window-guard, bent up and tied in this apron.

Prisoner's Defence. I was going through Finsbury-square, between eleven and twelve o'clock at night, and found it against the paling—I took it home, and was going next morning to sell it, when the policeman stopped me.

GUILTY. Aged 20.—Confined Two Months.

1430. ANN TAMERIN was indicted for stealing, on the 16th of April, 1 gown, value 6*s.*, the goods of William Vesper and another.

SAMUEL BAXTER. I am in the service of William Vesper and another, pawnbrokers, in Sidney-place, Commercial-road. On the 16th of April, about eight o'clock in the evening, the prisoner came to look at some gowns—she tried one on, and offered 5*s.* 6*d.* for it—I would not take it, and she went away—I saw her standing on the curb-stone, with something hanging down backwards—I called the constable—she went across the road—I saw it dragging after her, ran across, and pulled this gown from under her clothes.

WILLIAM HOLDING. I was a constable. Baxter pointed out the prisoner to me—I went across the road to her—she was talking about a man who had nearly run over her, and she could scarcely walk—while she was

talking to me about it Baxter came up, and took this gown from under her clothes—I took her to the station-house—no money was found on her.

Prisoner's Defence. I went into the shop, and bargained for an old gown; the man left me in the shop to try it on, but the witness did not know that, and shoved me right out into the street, with the gown about my heels; he did not give me time to pull it off; and he said to the witness, "Now I have got no holiday to go the fair, I will have a holiday at Newgate."

GUILTY.* Aged 40.—Confined Three Months.

1431. **MARGARET CALLAGHAN** was indicted for stealing, on the 27th of April, 24 yards of printed cotton, value 20s., the goods of George Albert Chapman.

WILLIAM HARRIS. I am in the service of George Albert Chapman, linen-draper, Great Russell-street. On the 27th of April, about twenty minutes past eight o'clock in the evening, I observed the prisoner going out of the shop with a piece of print under her arm—she had not purchased any thing—I followed her, and took the print from under her arm, just outside the door—she made no excuse, but afterwards said she picked it up outside the door.

HENRY SIGSTON. I am a policeman. I took her in charge.

Prisoner. I am very sorry, but I was in liquor.

GUILTY.* Aged 44.—Transported for Seven Years.

1432. **ELLEN LONG** was indicted for stealing, on the 2nd of May, 1 waistcoat, value 3s., the goods of John Thompson and another.

CHARLES THOMPSON. I live with John Thompson and his partner; they are pawnbrokers. On the 2nd of May, about half-past five o'clock in the evening, I received information from a little girl, went out, and pursued the prisoner, who had just left the shop—I caught her about three doors off, and said, "You have got a waistcoat in your lap"—she said it was a shirt—I put my hand under her apron, and pulled out this waistcoat—she said, "That is mine"—I showed her the mark, and said, "If it is yours come back with me"—it belongs to my brothers.

SARAH BULLEN. I was coming by the shop, and saw the prisoner take the waistcoat off the rail, and put it under her shawl—I went in and told.

(*The prisoner, in a written defence, stated, that she went to the prosecutor's shop to redeem a pledge, and in coming out picked up the waistcoat, about a dozen yards from the shop.*)

GUILTY.* Aged 41.—Confined Six Months.

NEW COURT.—Friday, May 15th, 1840.

Fifth Jury, before Mr. Common Sergeant.

1433. **GEORGE CROOK** was indicted for stealing, on the 5th of February, one ring, value 5s.; 1 purse, value 1s. 6d.; 10 shillings, and 9 sixpences; the property of Henry Relford; to which he pleaded

GUILTY. Aged 24.—Confined Four Months.

1434. **ANTONIO LE BRUN** was indicted for stealing, on the 11th of April, 1 10l. note, the goods of John De Caen; to which he pleaded

GUILTY. Aged 26.—Confined Four Months.

1435. WILLIAM RACHAEL was indicted for a misdemeanor.

MESSRS. ELLIS and BODKIN conducted the Prosecution.

ELIZA WHITE. I am the wife of John William White, baker, Charles-street, Westminster. On the 16th of April, at half-past eight o'clock at night, the prisoner came, and bought a penny loaf—he gave me a shilling—I found it was bad, and told him it was bad, and he had better walk away—he said he would not go till I returned him the shilling, which I refused to do—he struck me in the side with his fist and ran away—I made an alarm, and he was pursued and taken immediately—I gave the shilling to the policeman, and marked it.

HENRY GLOVER (*police-constable A 105.*) On the 16th of April I was in Charles-street—I heard the cry of “Stop thief,” and saw the prisoner running—he put his hand behind him, I heard something fall, and saw it roll, and Mrs. White's little boy took up five shillings—I did not lose sight of them—I took the prisoner to Mrs. White's shop—he said at first it was not him, and then he said his master gave it him—I have seen his master, he is a butcher, near Leicester-square—when the prisoner was before the Magistrate he said he found the whole of the money in a paper, in George-street—these are the five shillings, and this is the one I got from the prosecutor's.

MR. JOHN FIELD. I am inspector of coin to the Mint. These are all counterfeit, and all from the same mould.

Prisoner's Defence. I found them wrapped in a piece of paper; I did not strike the prosecutrix.

GUILTY. Aged 17.—Confined Nine Months.

1436. JANE SMITH was indicted for a misdemeanor.

MARY HUDSON. I am the wife of Thomas Hudson, a butcher in Turnmill-street, Clerkenwell. On Saturday, the 11th of April, I was attending to the shop—the prisoner came about eleven o'clock at night, and bought a small piece of the tops of ribs of beef—she gave me half-a-crown—I gave her 11½d. change—I put the half-crown into a little tin box, where there was no other—I looked into the box a few minutes after—no one had interfered with it—I found the half-crown was bad—it was not out of my sight till I gave it to the policeman—about a quarter of an hour after the prisoner came again to buy a mutton-chop, which came to 6½d.—she gave me another half-crown—I found that was bad, and had her detained—I am certain she is the woman who came in on both occasions—she had a blue handkerchief with white spots on it over her eyes—I knew her before she entered the shop—I told her she had passed one before which was bad—she said she had not been in the shop before—I gave the second half-crown also to the officer.

Prisoner. Q. Did I come to your shop twice? *A.* Yes—I did not say if you would give me a good half-crown I would let you go.

JOHN CALLOW (*police-constable G 72.*) I took the prisoner—I received these two half-crowns from the prosecutrix—there was a good half-crown taken from the prisoner.

THOMAS HUDSON. I am the prosecutrix's husband. I was outside the shop when the prisoner came in the first time—I noticed her—she is the same person that came in the second time—I did not say, if she gave me a good half-crown she might go about her business.

MR. JOHN FIELD. These are both counterfeit, and both from one mould.

GUILTY. Aged 20.—Confined Six Months.

1437. CHARLES CAPLIN was indicted for a misdemeanor.

ANN RANDALL. I am the wife of William Randall, who keeps the White Lion public-house, in Clare-market. On Sunday night, the 5th of April, the prisoner came for a pint of porter—it came to 2d.—he gave me half-a-crown, and I gave him 2s.4d. change—I put the half-crown on the side of the counter—there was no other money there—it did not remain there two minutes—when I examined it, after the prisoner was gone, I found it was bad, and put it into a quatern measure—I afterwards took it up stairs, locked it in a tea-caddy, and kept the key till I opened it and gave the half-crown to the policeman—on the 17th of April the prisoner came again, about half-past eleven o'clock, and asked for a pint of beer—he gave me a shilling, which I bent and gave to my husband—I thought it was bad—I asked where he got it—he ran away—he was pursued and brought back—I mentioned to my husband about the prisoner being there before, and the prisoner said he had not been there—I am sure he is the person—he has the same clothes on.

Prisoner. Q. How do you know me? A. I know you well; you live at Hungerford-market.

WILLIAM RANDALL. I received a bad shilling from my wife in the prisoner's presence, and she said that he had passed a bad half-crown to her before on Sunday week—I reached to lay hold of him, and he immediately ran out—this was on Good Friday night, the 17th—he had come before on the 5th of April—he got out of my sight—I kept the shilling in my hand till I marked it at the station-house and gave it to the officer.

CHARLES ATTFIELD (*police-constable F 131.*) I got the shilling from Mr. Randall—I heard the cry of "Stop thief," saw the prisoner running, and stopped him—he begged me to let him go—I said I could not.

JOHN RIDDICK (*police-constable F 10.*) On the 17th of April I went to Mr. Randall's house—I received this half-crown from Mrs. Randall—I searched the prisoner at the station-house, and found on him two playing-cards and a penny.

MR. JOHN FIELD. These are both counterfeit.

GUILTY. Aged 18.—*Recommended to mercy by the Jury.*

Confined Three Months.

1438. WILLIAM HARRISON was indicted for stealing, on the 5th May, 1 coat, value 10s., the goods of Lady Charlotte Bury.—2nd Count, stating it to be the goods of Charlotte Bury, commonly called Lady Charlotte Bury.

SAMUEL GOODCHILD (*police-sergeant H 36.*) At eleven o'clock at night, on the 5th of May, I was on duty at the Hanover-square Rooms, and saw the prisoner running down the street—I followed him—he threw this coat into a young man's arms.

CHARLES BOON. I am footman to a gentleman. I was coming up the area-steps of his house, and saw the prisoner running with the coat—I said, "Halloa," and he threw the coat into my arms.

JOHN PLANK. I am footman to Lady Charlotte Bury, who lives in Connaught-place. I put the coat inside the carriage that night—it is my mistress's property.

WILLIAM MINNICK. I am coachman to Lady Charlotte Bury. About twenty minutes past eleven o'clock I was in Mr. Gray's yard, in Oxford-street—I left the coat safe in the carriage—I went down to Hanover-square, and the coat was gone—I do not know how it went, but the officer brought it the next day.

(The prisoner pleaded poverty.)

GUILTY. Aged 41.—*Recommended to mercy.*—Confined Two Months.

1439. WILLIAM LIONEL THOMPSON was indicted for embezzlement.

MR. BODKIN conducted the Prosecution.

HENRY BUNN. I am a cabinet-maker, and live in the Curtain-road. I was a customer of John Pare and others, ironmongers, in Chiswell-street—I paid to the prisoner, on the 7th of September, 5*l.* 6*s.* 3*d.* on account of the firm.

JOHN PARE. I am in partnership with Mr. Young and Mr. Robins. The prisoner was in our service—he did not account to me for 5*l.* 6*s.* 3*d.* received from Mr. Bunn—it was his duty to receive money and to account to us when he received it—I would take him again into employ.

GUILTY. Aged 41.—*Recommended to mercy.*—Confined Five Days.

1440. CATHERINE EVERETT and HANNAH EVERETT were indicted for stealing, on the 8th of May, 1 pail, value 1*s.*; 1 brush, value 6*d.*; the goods of the Lords and others, Commissioners of the Royal Hospital, Chelsea: and 3 spoons, value 1*s.*; 2 towels, value 3*d.*; and 1 tub, value 6*d.*; the goods of Elizabeth Wilshere.

MR. BODKIN conducted the Prosecution.

ELIZABETH WILSHERE. I am school-mistress of Chelsea Hospital. The prisoner Hannah was admitted into that school about twenty-two months ago, and was discharged last November. On Friday, the 8th of May, she called at the hospital, about a quarter before nine o'clock—she left about nine o'clock—while she was there she went into a wash-house, in which these articles were—I went into the wash-house, and missed them next morning.

FRANCES REYNOLDS. I am the wife of William Reynolds, the engine-keeper at Chelsea Hospital. On Friday evening, the 8th of May, I saw both the prisoners at half-past nine o'clock—they came from the wash-house, and went into a water-closet that joins my kitchen.

MARY HUNT. I keep a marine-store-shop at Chelsea. On the morning of the 9th of May the prisoner Catherine and another, but I cannot say who, brought these things to my shop—she said her mother sent her with them, as she wanted to make up some money—I said, "Are you sure they are your mother's?"—she said, "Yes, the governess of the school gave them to my mother"—she asked half-a-crown—I gave 2*s.* for them—she said her mother would be there presently to satisfy me that all was right—I went to a policeman, and gave information.

WILLIAM FORD (*police-constable B 186.*) Hunt spoke to me, and I took possession of the articles—these are them.

RALPH GORE. I am storekeeper at the Hospital—these things are the property of the Hospital.

CATHERINE EVERETT—GUILTY. Aged 11.—

Transported for Seven Years.—Penitentiary.

HANNAH EVERETT—GUILTY. Aged 9.—Confined Six Months.

1441. RICHARD WEST BURNELL and SARAH GULLEN were indicted for stealing, on the 12th of March, 1 bolster, value 3s. ; 2 pillows, value 4s. ; 1 counterpane, value 3s. ; 1 blanket, value 4s. ; 2 sheets, value 3s. ; 1 looking-glass and frame, value 1s. ; 1 table-cloth, value 6d. ; 1 bed, value 20s. ; 1 carpet, value 8s. ; the goods of Edward Edge.

HARRIETT EDGE. I am the wife of Edward Edge, and live in Hermes-street, Pentonville. The female prisoner took a furnished room of me—she said her husband was in the country, and was coming the next day, and next day the male prisoner came in the afternoon—they lived together as man and wife in my house—I thought it necessary on the 12th of March to go into the room—I then missed the bed, bedding, and other articles—here are some of the things.

Cross-examined by MR. CLARKSON. Q. How long had the woman been lodging there? A. About three months—I received my rent weekly—they were a fortnight in arrear when they went—they went off earlier that morning—I went in their absence, and missed the things—whether they were coming back I did not know—the woman told me she did not do it with intent to rob me, and I have had the offer of the amount of the goods made to me since.

JOSEPH GREENGRASS (*police-constable G 90.*) I took the male prisoner, and found on him the key of the room, and twenty-seven duplicates, but the duplicates of this property were found in the room.

JAMES STEWART WALLIS. I am a pawnbroker—I have a bed and a carpet, pawned by a female—I cannot say whether it was Gullen.

GEORGE FREDERICK STEWART. I am a pawnbroker. I have a blanket, a quilt, two pillows, and a looking-glass, pawned by the female prisoner.

BURNELL—NOT GUILTY.

GULLEN—GUILTY. Aged 20.—*Recommended to mercy by the Jury and Prosecutor.*—Judgment Respited.

1442. WILLIAM PEMBROKE was indicted for stealing, on the 9th of May, 1 purse, value 6d. ; 1 sovereign, 4 half-crowns, 9 shillings, and 1 groat ; the property of George Hughes Wilkins, from his person ; and that he had been before convicted of felony.

GEORGE HUGHES WILKINS. I am a lieutenant in the Rifle Brigade, stationed at Windsor. On the 9th of May, about four or five o'clock in the afternoon, I was in Regent-street, and saw the prisoner following me very closely—I had suspicion—he turned down a street—I felt, and my purse was gone—he then joined another lad—there was no one near me but the prisoner till I lost my purse—I pursued him—before I said any thing to him, he set off, running—one of the two dropped my purse—it contained the property stated—this is it—(*examining one*)—the prisoner was taken in a public-house.

Cross-examined by MR. PAYNE. Q. After you took up your purse you went into the public-house? A. Yes—the prisoner was as close to me as could be when I felt something at my pocket—that was about a hundred yards from the public-house—I think there were two turnings—the street was unusually thin of people—the other person was not far from me, but not so near as the prisoner—I had observed the prisoner while I was in a pastrycook's shop, where I had changed a sovereign, and then he followed me.

TIMOTHY GIBLETT (*police-constable C 95.*) I saw the prisoner turn a

N

street, and run off—he turned into a public-house and sat down, and I took him—he was sitting with his hat off.

JEREMIAH MILSTEAD (*police-constable C 132.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Gilbert's office, at Westminster—(*read*)—the prisoner is the person.

GUILTY. Aged 16.—Transported for Ten Years.

1443. HENRY JAMES was indicted for stealing, on the 6th of May, 1 pewter-pot, value 1s. 6d., the goods of Sarah Smith.

SARAH SMITH. I keep the Chequers public-house, Tothill-street, Westminster. The prisoner came to my skittle-ground on the 6th of May, about one o'clock—he had a pot of beer—he came again about two o'clock with another person—they went into the ground, and sent for a pint of porter—I served it—they came in, and I thought the prisoner had something under his coat—about eleven o'clock at night the policeman brought this pot, which is mine.

Cross-examined by MR. BODKIN. Q. There had been other people with him? A. Yes, but there was nobody but those two the second time.

WILLIAM COTTON (*police-sergeant G 10.*) About ten o'clock that night, from information I received, I went into the Harrow public-house—I found the prisoner and another person with two bags—I asked the prisoner what he had got there—he said some old metal he had bought of Mr. Dean, in Tothill-street—I found this quart pot in it—I took it to the prosecutor—I then searched the prisoner's lodgings, found two pint pots, a ladle, and a quantity of pewter melted down—I found some metal on him.

Cross-examined. Q. He seemed to be something of a pot-maker himself? A. More like a pot melter.

THOMAS DEANE. I am a locksmith, and keep a shop in Tothill-street. I do not deal in metal—the prisoner called at my place—I only sold him 6½lbs. of old metal, old brass, and buttons.

(The prisoner received a good character.)

GUILTY. Aged 22.—Confined Three Months.

1444. JOHN BROWNE was indicted for stealing, on the 6th of May, 1 half-crown, the money of John Pare and others, his masters.

MR. BODKIN conducted the Prosecution.

JOHN PARE. I am an ironmonger, in partnership with two others, in Chiswell-street. The prisoner was our shopman—he had 31s. a-week—on the 5th of May, in consequence of suspicion, I marked three half-crowns, a shilling, and a sixpence—I gave them to Mr. Rule, to send some one to the shop to make purchases—on that night I put 5s. in copper in the till, which was then empty—on the following morning I went into the shop soon after seven o'clock—the prisoner and one or two others were there, who were porters—business begins at six o'clock—I went, looked into the till, and saw two half-crowns, and some smaller pieces of silver, I think a shilling and a sixpence—I did not interfere with the money—after that I sold something in the shop for 1d., for which I took a shilling, and gave 11d. in copper change—I put that shilling in the till—soon after I went to the till, and took out the money that was in it, consisting of all the sums I have mentioned, two half-crowns, two shillings, and one sixpence—I examined them—they were all marked, with the exception of one shilling—they were what I gave to Rule—I called the prisoner into the counting-

house, and said, "Browne, you have sold two sets of castors"—he said, "I have, for 8s. 8d."—I said, "What money did you receive?"—he said, "Two half-crowns and some smaller silver"—I said, "You received three half-crowns"—he said, "Oh, yes"—I said, "There are but two in the till, what has become of the other?"—he said he could not tell, he had been at the other end of the shop—I said, "I am not satisfied; I shall call a policeman, and have you searched; you had better produce what money you have"—he produced a half-crown and some smaller silver—I looked at the half-crown he produced—it was not marked—he said he had no more money about him—I said, "I shall not allow you to leave till you are searched; but, to avoid the disgrace, you had better produce what you have"—he then put his hand into his other pocket, and produced the half-crown which was marked—I gave it to the policeman--this is it—(*looking at one.*)

Cross-examined by MR. PAYNE. Q. Did you mark the copper money? A. No—I looked in the place where the gold was put—there were other people in the place.

MR. BODKIN. Q. Did the copper money correspond with what you had left in it the night before? A. Yes, by the appearance of it.

WILLIAM RULE. I live in Artillery-place, and am a friend of the prosecutor. He gave me three half-crowns and the other silver to send to his shop—I gave them to Mr. Godfrey.

Cross-examined. Q. Are you sure you gave the same money to Mr. Godfrey? A. Yes, in about half-an-hour—this is the half-crown that was pointed out to me.

JOHN GODFREY. I am a friend of Mr. Rule—he gave me three half-crowns, a shilling, and sixpence, marked—I went to the prosecutor's shop with it, and dealt with the prisoner, and bought two sets of castors—I paid him 9s., three half-crowns, one shilling, and one sixpence—he put the whole money into the till, and gave me 4d. change—it was then just ten minutes to seven o'clock.

JAMES HAYWARD (*police-constable G 212.*) I was called, and took the prisoner.

Prisoner's Defence. I was called in at twenty minutes past eight o'clock, and asked about the money; I turned out the money I had in my bag; I forgot the other half-crown in my pocket; I had not time to reply or explain.

GUILTY. Aged 38.—Transported for Seven Years.

1445. CHARLES CARROLL was indicted for stealing, on the 27th of April, 4 bottles, value 8d.; and 6 pints of brandy, value 1l.; the goods of James Laing, in a certain vessel, in a port of entry and discharge.

CHARLES SUNMIN. I live in Green-street, East Smithfield. The prisoner was my apprentice. On the 27th of April, about seven o'clock in the morning, he came on board my ship and worked—he said he had a feeling in his inside, and went on deck—I called him down at ten o'clock—he went up again at eleven—I went up, and he was in the cabin—he said he was very bad—he went up again at two o'clock—I went up, and he was in the round-house—I said, "What do you want there?"—he said, "Looking for pipes and tobacco"—I saw him there again at four o'clock—I told him to go out, and I locked the room—after that I saw him with a bundle of his clothes, which I had given him—there was a bottle of brandy in it—it

was Captain James Laing's vessel—the prisoner had no business with the brandy.

JAMES LAING. I put the brandy into the drawer in the round-house on the 25th of April, and took the key—on the 27th, between six and seven o'clock, a boy came and told me something—I went, and the place was broken open, and four bottles of brandy gone—this is mine.

Prisoner's Defence. I was taken bad, went into the water-closet, and found the bottle of brandy there; I took down one, and saw "Brandy" marked on it; I thought it was a good medicine, I took it, and drank some, and found it did me a great deal of good. **NOT GUILTY.**

1446. **THOMAS NEWMAN** was indicted for stealing, on the 30th of April, 11b. weight of leather, value 2s. 8d., the goods of John Rooney Sherrott.

JOHN BENJAMIN NAPPER. I am shopman to John Rooney Sherrott. On the 30th of April the prisoner came into our shop, and asked for a pair of 16d. soles—I placed the box on the counter—he fitted two pairs to his pattern, and then he gave me the money—as Mr. Sherrott was coming down stairs, the prisoner walked out of the shop—I have missed some leather—this is like it—(*examining some.*)

Cross-examined by Mr. PAYNE. Q. You did not count over the pieces? A. No.

JOHN ROONEY SHERROTT. On the 30th of April I went up stairs, leaving my boy in the shop—I came down and saw the boy dropping some halfpence into the till—I asked who he had been serving—he said a man in a white apron—I looked into the box and missed some soles—I got a policeman and went to the prisoner's house, but saw nothing there—I came out, and the prisoner ran out to the place where they keep dust, and the policeman after him—I got a man with a lantern, and we found these soles.

Q. How do you know these? A. By the cut and the figures—I did not count the pieces in the drawer—I looked and thought there was a deficiency.

WILLIAM PRICE (*police-constable H 25.*) I followed the prisoner to the dust-hole and he tried to conceal himself—I nearly fell over him—King found the soles in the dust-hole.

GEORGE KING (*police-constable H 111.*) I found these soles.
(The prisoner received a good character.)

GUILTY. Aged 60.—Confined Two Months.

1447. **HANNAH JENNINGS** was indicted for stealing, on the 18th of January, 2 frocks, value 2s.; 4 shirts, value 3s.; 4 pinafores, value 3s.; 2 petticoats, value 1s. 6d.; 2 aprons, value 1s.; 2 pairs of stays, 1s. 6d.; 1 bed-gown, value 6d.; 1 handkerchief, value 6d.; 1 shift, value 6d.; 1 window-blind, value 6d.; 1 towel, value 6d.; and 1 tippet, value 6d.; the goods of Richard Ramsbottom.

SARAH RAMSBOTTOM. I am wife of Richard Ramsbottom, and live in Dorset-street. On the 18th of January I sent my girl, who is fifteen years of age, to Homer-street, with a lot of clothes to Mrs. Macklin's—she is not here—it consisted of the articles stated—I have got two of them again—these are them.

ANN MACKLIN. I received, on the 18th of January, a lot of clothes from the prosecutor's girl—among the rest these things—the prisoner came

in the evening, and said she came for her things from No. 5, Dorset-street—they were not quite done—she came in and waited—she paid me, and took them all away.

SARAH STEVENS. The prisoner lodged with me. On the 19th of January she brought these two frocks to my parlour door, and gave them to me—she said she was out at work on Saturday, and had them given to her.

GUILTY. Aged 21.—Confined Nine Months.

1448. **ANN HACKETT** was indicted for stealing, on the 6th of May, 1 handkerchief, value 4s. 10d., the goods of John Southee and another.

JOHN SOUTHEE. I live at Brompton. At half-past nine o'clock, on the 6th of May, the prisoner came into my shop to look at some silk handkerchiefs which were in my window—my partner took them out, and shewed her a bundle of about twenty-five—the string was loosened, and they were laid before her—she did not approve of them, and thought she should like to look at one of those in the window—while she was looking I saw her draw one out, and put it under her arm—she was then going out—I jumped over the counter, and said, “Did you mean to buy one or steal one?”—she said she had not money enough to buy two—she dragged me into the street—I brought her back—she had not bought any—when the last handkerchiefs were shown her she said that she had not money to buy two.

Prisoner. When I found that I had come out without money, I asked if the shop would be closed in a few minutes that I might get money; he took hold of me, and this handkerchief came off the counter with my shawl.

GUILTY. Aged 22.—Confined Six Months.

1449. **MARY FOWLER** and **ANN BRYANT** were indicted for stealing, on the 5th of May, 9 yards of printed cotton, value 3s.; the goods of Moses Roberts.

WILLIAM HACKET. I am shopman to Mr. Moses Roberts, a linen-draper in Oxford-street. On the 5th of May I saw the two prisoners looking at this print, which was at the door for sale—one said how cheap it was—I saw one of them take it away—I jumped over and took Fowler with it on her—she was four or five yards from the door—Bryant had not time to get away, as Mr. Roberts was out directly after me.

Fowler's Defence. Another woman *chucked* it at my feet, and as the witness came to me I was going to stoop to see what it was—Bryant was not with me.

Bryant's Defence. I was going to the shop to buy an apron, the prosecutor brought this woman back, and said he thought I was with her; I don't know her.

FOWLER—GUILTY. Aged 19.—Confined Four Months.

BRYANT—NOT GUILTY.

1450. **THOMAS LAMB** was indicted for stealing, on the 8th of April, 1 flannel shirt, value 2s.; 4 shirts, value 4s.; 2 pairs of trowsers, value 6s.; 4 pairs of stockings, value 2s.; 1 pair of shoes, value 5s.; 1 jacket, value 5s.; 3 waistcoats, value 3s.; and 4 handkerchiefs, value 2s.; the goods of Robert Jackson.

ROBERT JACKSON. I live in Bishop Wearmouth, and am mate of the

brig *Viscount Melbourne*, which was in the Pool—on the 8th of April, I came on shore, and got partly drunk—I had sent my clothes to Mrs. Small—I saw them there safe on the 31st of March, and they were missed afterwards—I did not authorize the prisoner to fetch them.

CATHERINE LEARY. I am servant to Mrs. Small. I fetched the prosecutor's clothes to her—the prisoner came and had some of them on the 8th of April, and next day he had the rest—he said he came to take them to Jackson, and I let him have them—this flannel shirt is one of the things.

EBENEZER LIEBRIGHT. I am in the service of a pawnbroker. This flannel shirt was pawned by the prisoner, on the 8th of April.

THOMAS WATERS. I keep the Queen's Head in Wapping-wall. The prisoner brought the prosecutor to my yard, on the 8th of April, in the forenoon—the prosecutor was tipsy, and very dirty—the prisoner stripped him, washed him, and got him clean clothes, and the dirty ones were left in my yard all night—next day the prisoner came and had them, and three days after, a woman came, and brought them—my wife paid her 2s. for washing them—I heard no authority given to the prisoner by the prosecutor to get his things.

WILLIAM LEWIS. I am a foreman to a pawnbroker. I have a pair of shoes, and a flannel shirt pawned by Carr, for 3s., on the 10th of April.

JOHN CARR. The prisoner told me to pawn them, and said they were his own—I gave him the money and the duplicate.

(*Property produced and sworn to.*)

GUILTY.* Aged 46.—Confined Three Months.

(There was another indictment against the prisoner.)

1451. ELIZA GREEN was indicted for stealing, on the 6th of May, 2 breast-pins, value 10s., and two breast-pins and chain, value 20s., the goods of Edward Blacklock, from his person.

EDWARD BLACKLOCK. I live in Vernon-buildings. On the 6th of May, at a quarter-past twelve o'clock at night, I was in Gordon-square—the prisoner came up, and put her arm round my neck, and immediately I missed my pins—I told her she had robbed me, and asked if she would give them up—she would not—I said I would call a policeman—after calling two or three times, she threw the pins on the ground, and said, "There are your pins, let me go"—the policeman came up, and I picked up three pins at her feet—I missed a fourth, when the officer went back, and found it on the spot where she had been—I deal in jewellery, and usually have two pins at the bottom of my scarf.

Cross-examined by MR. PAYNE. Q. Are you a jeweller? A. Not exactly—I attend sales, and buy those things—I was just at the beginning of Gordon-square, where there are only houses on one side—I had been to the theatre in the Strand, and was on my way home—I had not been in Gordon-square a minute, before I saw the prisoner—I had not met her in Henrietta-street—these pins were in my shawl—three of them were together, and one was separate—a person could not take them all out at once—I cannot tell how the prisoner did it—there were no endearments passed between us—I put her away—she was by my side—I was perfectly sober.

EDWARD CAMPION (*police-constable E 45.*) I took the prisoner, and went back to the place and found one pin on the ground.

GUILTY. Aged 20.—Recommended to mercy.—Confined Three Months.

1452. **MARY ANN CHILD** was indicted for stealing, on the 18th of April, 1 coat, value 5s.; 2 waistcoats, value 4s.; 4 neckerchiefs, value 2s.; 1 pair of drawers, value 1s.; 1 shirt, value 1s.; 1 pair of mittens, value 6d.; $\frac{1}{2}$ lb. weight of arrow-root, value 1s.; 1 bottle of lavender-water, value 2s.; 1 bottle of spirits of lavender, value 1s.; 1 ounce of ginger, value 3d.; and 1lb. weight of flour, value 3d.; the goods of John Pitman Jones, her master.

JOHN PITMAN JONES. I am a druggist, and live in Old Brentford. The prisoner was in my service, and was to quit on the 28th of April—when she was leaving, my attention was drawn to a basket with some flour in it—I gave her into custody, and the officer found these articles in her box—they are mine, and had no business there.

THOMAS BANKS (*police-constable T 37.*) I found these articles in her box—it was not locked—she did not say any thing.

Prisoner. I was not aware the articles were in my box—my things were taken in the street, and brought back to the shop.

FRANCIS KEY. I am assistant to the prosecutor. The officer left the box in my care while he went to the station-house—no one touched it till he came back.

GUILTY. Aged 48.—Confined Six Months.

1453. **WILLIAM SMITH** was indicted for stealing, on the 13th of May, 1 handkerchief, value 2s., the goods of John Batty Tuke, from his person.

JOHN BATTY TUKE. I reside in Mark-lane. Last Wednesday morning I was walking leisurely up Fleet-street—a gentleman called to me, and I found my handkerchief was gone—the prisoner was seized about a yard before me, and I saw my handkerchief in a door-way close by him.

JOHN REID. I am a publisher. I was walking up Fleet-street about twenty minutes before eleven o'clock that morning, and saw the prisoner put his left-hand into the prosecutor's right-hand pocket, take out this handkerchief, and put it into his breast—I instantly collared him, and he threw the handkerchief into a door-way.

Prisoner. I was walking up the street, and wiping my eyes with my own handkerchief, which was a white one—the prosecutor's handkerchief was not in my possession at all.

SAMUEL SYKES (*City police-constable, No. 330.*) I took the prisoner, and found on him this white handkerchief, which appears to be a new one.

Prisoner. It is one my sister lent me.

GUILTY.† Aged 29.—Confined Nine Months.

1454. **JOHN JONES** was indicted for stealing, on the 5th of May, 1 truck, value 4l., the goods of William Hopcraft.

WILLIAM HOPCRAFT. I live in Whitmore-road, and am a wheelwright. On the 4th of May I let a truck to the prisoner—I knew him by sight—I asked him where he was going—he said, to Battle-bridge, and he could not tell how long he should be gone—he never returned—I went to the station-house the next day—I looked about, and found it in the North-road, at Mr. Metcalf's.

HENRY METCALF. I keep a broker's shop. The prisoner brought this truck to my door, and asked me 1l. for it—I bought it of him for 14s.

GUILTY. Aged 40.—Confined Three Months.

1455. EDWARD BROWN was indicted for stealing, on the 11th of May, 29 yards of printed cotton, value 1*l.* 2*s.*, the goods of Peter King Holder.

WILLIAM MOORE. I am shopman to Peter King Holder, of Great Warner-street, Clerkenwell. On the 11th of May I saw the prisoner take this cotton from the door, and go away with it—I ran round the counter to pursue him, but some young females cried out, “Stop thief,” and he dropped the print—he was brought back—I am sure he is the person who took it.

MARTHA MILLINGTON. I am the wife of Robert Millington. I was coming out of the prosecutor's shop, and found this cotton lying at the door of the Red Lion public-house.

JOHN TUGMAN. I was coming up Warner-street, and two women called out that there was a thief—I saw the prisoner run, and I caught him just by the Cobham Arms public-house.

GUILTY. Aged 18.—Confined Three Months.

1456. MARIA HARRINGTON was indicted for stealing, on the 5th of May, 1 watch, value 6*l.*; 1 seal, value 16*s.*; 1 watch-guard, value 12*s.*; and 2 watch-keys, value 6*s.*; the goods of John Anderson: and ANN DRISCOLL, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

JOHN ANDERSON. I am a sailor. On the 5th of May, between one and two o'clock in the morning, I saw Harrington near Tower-street—I asked her for a bed, and she took me to a house—I stopped there some time, took my watch and guard from my neck, and put it under the pillow—I was going to bed there by myself, not with her—I went there to get away from a scuffle that I got into—while I was taking off my jacket Harrington went out, and I am sure I saw my watch-guard in her hand—there was no one else in the room.

Harrington. You got into a fight, and you asked me if your temple was cut, and I said, “Not much,” we went down Rosemary-lane, and met Driscoll—then we went up to her place, and you sent out for some gin and beer; we went on drinking till three o'clock in the morning; after you spent all your money you gave your watch to Driscoll to take care of. *Witness.* I sent for some gin and beer, and we went on drinking—I saw Driscoll in the room, and she went out for the liquor.

JAMES JOY (*City police-constable, No. 208.*) I received information, and went after Driscoll—I found her, and asked her what she had in her bosom—she took this property out of her bosom, and said she did not steal it, but a woman and a sailor came to her house, the woman stole the watch, and gave it her.

THOMAS TROTT (*police-constable H 77.*) The prosecutor came to me, and said he had been home with a woman, and lost a watch—I went to several houses, and then to a house in Rose-court—Harrington was there—the prosecutor said to her, “You have got my watch”—he then said he did not like to swear to her, and would not give her into custody.

CORNELIUS FOAY (*police-constable H 98.*) I went and took Harrington—she said she had met the prosecutor in Tower-street, but knew nothing about the watch.

Harrington's Defence. I did not thief it; we were all in liquor together; when I awoke I recollected nothing about it.

Driscoll's Defence. The prosecutor sent me three or four times for liquor—he then said he would go to the public-house, and get 5s. on his watch, and give it to this woman.

HARRINGTON—GUILTY. Aged 33. }
DRISCOLL—GUILTY. Aged 30. } Confined Six Months.

1457. SHADRACH MITCHELL was indicted for stealing, on the 13th of April, 20 printed books, value 10s., the goods of Richard Thornton.

RICHARD THORNTON. I live at Ealing. On the 13th of April I missed 20 books out of my harness-room—I gave information, and next morning the prisoner came to me, and said he had taken the books, that he hoped I would forgive him, and he brought them back.

MARY ANN THORNTON. I am the prosecutor's wife. The prisoner came to me on the night of the 13th of April, and said he had taken the books to read.
NOT GUILTY.

1458. WILLIAM DAVIES was indicted for stealing, on the 8th of May, 1 handkerchief, value 1s. 6d., the goods of James Cooke, from his person.

JAMES COOKE. I live in Earl-street. On the 8th of May, about a quarter-past ten o'clock, I was in Fleet-street—I had a handkerchief in my pocket, which I had been using shortly before—I received information, and missed it—this is it (*looking at one.*)

RICHARD PLUMBLY (*City police-constable, No. 357.*) I was in Fleet-street about a quarter-past ten o'clock that evening—I saw the prisoner take the handkerchief out of the prosecutor's pocket—I caught him, and took it out of his hand behind him—there was another boy with him, and he put the handkerchief behind him, I believe, for the other to take it.

Prisoner's Defence. I was walking up Fleet-street, and two boys threw it on me.

GUILTY.* Aged 17.—Confined Three Months.

1459. WILLIAM HYATT was indicted for stealing, on the 1st of May, 1 handkerchief, value 1s., the goods of a man unknown, from his person.

GEORGE JOHN THORNBLOW. I live in Southampton-street, and am an engraver. On the 1st of May, about a quarter-past ten o'clock, I was walking up St. Martin's-lane—I saw the prisoner lift up a gentleman's pocket with his left hand, and take out his handkerchief with his right hand—he ran off, down several streets, till he came to Hop-gardens, and there the policeman stopped him—I told the officer I had seen something drop at the corner of Hop-gardens, which is rather dark—he went, and got this handkerchief—I do not know the gentleman's name who lost it.

GEORGE WESTON (*police-sergeant F 6.*) I received information, and I went to the corner of Hop-gardens, and a female picked up this handkerchief there.

BENJAMIN BURTON (*police-constable F 43.*) I saw the prisoner running—I pursued, and took him.

Prisoner's Defence. I was making my way home, as my father told me to be home by ten o'clock.

GUILTY. Aged 18.—Confined Six Months.

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OLD COURT.—*Saturday, May 16th, 1840.**Third Jury, before Mr. Sergeant Arabin.*

1460. THOMAS CARTER HUNT was indicted for stealing, on the 13th of May, 12lbs. weight of sail-cloth, value 3s.; and 1 brush, value 4s.; the goods of the Great Western Railway Company, his masters; to which he pleaded

GUILTY.—Transported for Seven Years.

1461. GEORGE FREDERICK AMOSS was indicted for stealing on the 9th of April, 3 sovereigns, 4 half-sovereigns, 2 crowns, 2 half-crowns, 2 shillings, 3 sixpences, 3 pence, and 6 halfpence; the monies of Edward Rubery, his master.

EDWARD RUBERY. I am a pawnbroker, and live in Bethnal Green-road. The prisoner was my shop-boy for six months—I was taken very ill, and confined to my room for five weeks, and left him to manage my business—he came home drunk one Sunday evening, which aroused my suspicion, and he had bought new clothes—on the 9th of April I missed this money from the till—he had the management of the shop, but there was a little boy who could get at the till—I have not found any of the money, but he acknowledged it—I told him he had better tell the truth.

NOT GUILTY.

1462. SARAH REASON was indicted for stealing, on the 28th of April, 3 half-crowns and 4s., the monies of Robert Maynard, her master.

ROBERT MAYNARD. I am a butcher, and live in Royal Hospital-row, Chelsea. The prisoner was about three weeks in my service.

ELIZABETH MAYNARD. I am the prosecutor's wife. I missed some things, and a constable was sent for—I went with him to the prisoner's room, and on her shelf the constable found this duplicate for two gowns—I also lost a collar, and found it on the child's crib, by the side of her bed—I had left it in the cupboard in my bed-room—I never authorized her to take it out—these gowns are what I lost—(*looking at them*)—I examined a parcel of new articles found in her bed-room, and in the parcel I found a bill.

Cross-examined by MR. PAYNE. Q. Did you accuse her of stealing your gowns? A. Yes—she said she was innocent, and her room might be searched—she said she knew nothing about the duplicate found on her shelf.

GEORGE THATCHER. I am a policeman. On the 30th of April I went to Mr. Maynard's, I told the prisoner what had been missed, I afterwards went to her bed-room with Mrs. Maynard, and on the shelf I found this duplicate of the two gowns, pawned at Perkins's, in Kingsland-road, in the name of Gibbins—I found a collar concealed between the flock bed and the mattress of the crib—I went to the pawnbrokers with the prisoner, and got these two gowns, which I produce.

Cross-examined. Q. I believe you asked if she had any objection for you to search her boxes? A. Yes, she said she had none.

JOHN KILLINGWORTH. I am shopman to Mr. Perkins, a pawnbroker—I produce two gowns, pawned on the 24th of April, for 4s., in the name of Ann Gibbins, by a woman—I cannot swear positively to the prisoner—I believe I have seen her before—this is the duplicate that was given for them.

Cross-examined. Q. Is it your writing? A. Yes, we have a great

many people come to our shop—I could not tell what particular things they pawned.

GUILTY. Aged 24.—Transported for Seven Years.

1463. **THOMAS ATKINS** was indicted for stealing, on the 12th of May, 3 oz. weight of silver filings, value 13s., the goods of Sebastian Garrard and others, his masters.

SEBASTIAN GARRARD. I am one of the firm of Sebastian Garrard and Co., silversmiths in the Haymarket. The prisoner was in our employ—we have from day to day a quantity of silver filings accumulated—my attention was called on several occasions to a deficiency in the filings, in reference to the business done, and on Wednesday the prisoner was given in charge—when I came to business in the morning, he told me he was very sorry for what had happened, and if I would forgive him, nothing of the sort should happen again—I had made him no promise—none of the servants have permission to take the silver filings—I lost 1200 ounces last year.

EDWARD WALLIS. I was in the prosecutor's service—there had been silver filings missing—there are about eighty persons in the employ—none of the servants have the privilege of having the silver filings. On Tuesday, May the 12th, I saw the prisoner go up to Mr. Hearn's shop-door, in Jerusalem-passage—directly he saw me he retired from it—my suspicions were aroused, and I concealed myself under a public-house window, nearly opposite Mr. Hearn's shop—the prisoner caught sight of me, and retired—in about half-an-hour I saw him come out of the house where I lodged, which is just by Jerusalem-passage—he beckoned me out of the house—I followed him into the street, and he said to me, "What is the matter?"—I pretended I did not know what he meant—he said, "You have been into the passage"—I said, "And so have you, with two ounces and eighteen dwts. of silver"—(I had in the mean time made inquiry at Hearn's)—he said, "I have," and begged and prayed of me not to make it known to my employers.

Prisoner. I did not say the property belonged to my employers, but begged him not to mention it to them.

JOHN HEARN. I am a refiner, and live in Jerusalem-passage, St. John's-square. On Tuesday, May 12th, the prisoner came to my shop, about eight o'clock at night, with some silver filings, wrapped in brown paper, and requested I would melt it for him, and he would call in an hour, or if I could not do it, he would call in the morning—I said I would do it at once—previous to his calling for the money Wallis came, and made inquiry, in consequence of which I showed him the silver—it had then been melted—I did not know that he was in the prosecutor's service—a few minutes after Wallis left the shop the prisoner came in, and asked if it was ready—I told him "Yes," that I had melted it, but it was stopped, and I did not pay him for it—I should have allowed him 4s. 6d. an ounce without assaying—it was not worth assaying.

WALTER THORBURN. I am a policeman. The prisoner was given into my charge—on going to the station-house I asked him if he had taken the silver filings—he said he had, but he was not the only man in the shop that took the filings—I made him no promise or threat.

Prisoner's Defence. Nothing was found on me; as to the silver, nobody can say I took it off the premises—other people had the same chance

of taking things as I had—it was not in the same state, and they cannot swear to it.

GUILTY. Aged 37.—Transported for Seven Years.

Before Mr. Justice Coltman.

1464. JOHN CLEAVE was indicted for a libel.

Messrs. ADOLPHUS, GURNEY, and BULLOCK conducted the Prosecution.

ALEXANDER KERR. I am one of the Metropolitan Police. I know the shop, No. 1, Shoe-lane—the name of Cleave is on the door—it is a book-seller's—I went there on the 3rd of February last, and asked for "Haslam's Eighth Letter to the Clergy of all Denominations"—I saw the defendant in the shop—I saw his daughter in the shop—when I asked for the book the defendant turned to the young woman, and calling her Emma, told her to serve me, but before she did so, the young man in the shop served me with this book—this is it—(*producing it*)—I marked it when I bought it—the defendant was present when I was served—I paid 1d. for it. On February the 11th, I went again to the same place, and asked if they had got the whole of "Haslam's Letters to the Clergy"—I saw Emma there, and the young man who served me on the first occasion—I did not see the defendant—I asked if they had got the whole work—the answer was they had not—I said I would take all they had got, meaning the numbers of the whole work—Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 13, were produced—I marked them all—(*looking at them*)—these are them—I bought them, and paid for them—I have Nos. 5 and 13 here, which have been selected from the rest—I marked them also.

Cross-examined by MR. CHAMBERS. Q. You say you saw Mr. Cleave's daughter, do you mean you were personally acquainted with her or Mr. Cleave? A. I have seen Mr. Cleave on many occasions, and therefore know him personally—I knew it was his daughter by his speaking familiarly to her—I said nothing to her—it was merely from his saying "Emma" that I thought she was his daughter—I knew it was Mr. Cleave's shop by seeing the name over the door, and I have seen him in the shop on former occasions, and I know him to be Mr. Cleave—I do not know the landlord of the house—I do not know if any inquiry has been made about that.

Q. Am I to collect that it is simply from "Cleave" being over the door, and his acting in the shop, you presume the shop is his? A. Yes—by acting in the shop, I mean serving customers—I do not know the young man—I do not know his name—the shop is not on my beat—my beat is in the F division—we come as far as Temple-bar—I was not in my police dress when I purchased these things—I came from the station-house—I was sent by the Superintendent—I went to the Treasury, and was empowered by Mr. Maule—I believe I saw Mr. Maule—Haslam's Letters were taken from a shelf behind where the young man stood—it is a small shop—I have seen it frequently—it is full of penny publications, and things of that description, which laid on the shelves principally—I did not see any of Haslam's Letters in the window—I cannot say that I noticed the Penny Gazette—I have seen Cleave's Penny Gazette—the first time I went was between three and four o'clock in the afternoon—I think there was one other customer there—when I asked for the book it was between four and five o'clock—I did not take out a book when I asked for the Letters, nor had I a memorandum of what I wanted—I had it in my memory—I had never seen them before I went to buy them—I had heard of them—I have read

numbers 8, 5, and 13 through—curiosity induced me to read them—they have not been read at the station-house—they have never been seen there—I cannot say how long it took me to read one—I read them at different times, just at my leisure—when I went the second time the young man served me—there was nobody serving but the young man—a person came in at the time—the girl was in the shop—I judge there was a good number of publications for sale, from what I saw on the shelves—there were many thousands—it was not full up to the ceiling—they were not half up to the other shelves—the things were piled up in different places—there were different works on the counter—I know nothing of the course of publishing.

(The libellous matter contained in the publication alluded to was of too blasphemous a description for publication.)

GUILTY.—Confined Four Months, fined 20*l.*, and to find Sureties for his good behaviour for Two Years.

1465. ANN PHILLIPS was indicted for burglariously breaking and entering the dwelling-house of Elizabeth Webb, on the 1st of May, about the hour of nine in the night, and stealing therein 1 box, value 4*s.*; 1 watch, value 1*l.* 5*s.*; 2 seals, value 4*s.*; 1 watch-key, value 1*s.*; 2 pairs of trowsers, value 15*s.*; 2 waistcoats, value 2*s.*; 4 handkerchiefs, value 9*s.*; 2 printed books, value 3*s.*; 2 pocket-books, value 1*s.*; 1 pair of stockings, value 1*s.*; 1 pistol, value 3*s.*; 1 telescope, value 1*s.*; and 1 flute, value 2*s.*; the goods of Henry Webb: and 10 sovereigns, 4 half-sovereigns, 2 half-crowns, 15 shillings, and 1 sixpence, the monies of the said Elizabeth Webb.

ELIZABETH WEBB. I live in Tilly-street Tenter-ground, Christchurch, Spitalfields. I occupy one room on the ground-floor—I have known the prisoner eight or nine months—on the evening of the 1st of May, about eight o'clock, she came into my room—she and I went away together—I locked the door, and took the key with me—I left the prisoner at the bottom of the street, which was not many yards—I returned home about half-past nine o'clock, found the panel of the door burst in, and the door open—the panel laid on the floor—I went to look for some lucifers, which laid on a middling-sized mahogany box, and the box and all was gone—the property in the box belonged some to me and some to my son—I gave information to the police, and saw my property next night in the hands of the policeman—ten sovereigns and four half-sovereigns are gone—they were in an old tin box, in the mahogany box—I have never seen them since—there was some silver in the same box, but that has been found—my son had given me the silver the Wednesday before.

JOHN SANDERSON. I am a dealer in marine stores. The prisoner came to my shop on Friday night, the 1st of May, between nine and ten o'clock, with a box, and applied to me to fit her a key to it—I got up to see if I had one, but had none—I then felt the box was very heavy, it was full, and I asked her if it belonged to her—she said it belonged to her brother—I said, "If so, send your brother down to my place, and I will open it for him"—she took it under her arm and went out—this is the box—*(looking at it)*—I followed her out, and saw her go into Fleur-de-lis-street, opposite my shop, to a locksmith's, named Kent.

THOMAS KENT. I am a locksmith. The prisoner came to my shop on Friday evening, the 1st of May, with this box, and asked me to fit a key to it—I was in bed, and said I was too tired, I could not get up; but if she would bring it at five o'clock in the morning I would do it—she begged of me to do it then, as her brother was going off to Calcutta at five in the morn-

ing—I got up, dressed myself, fitted a key to it, and opened it—I saw her take a little silver out—it was in a bit of brown paper—she then opened a little box, and emptied something out into her hand, which rattled, but I could not see what it was—it appeared to be money—she then said, “I have got what I wanted for my brother to go away in the morning with; be so good as to let me leave the box till seven or half-past seven o’clock in the morning, and I will call for it”—I agreed, but said, “If I am out at work I will leave a man at my shop, to come and let me know if it is inquired for, that it may not be delivered up without my coming”—she did not come for it in the morning, and on Saturday I opened it, and locked it again—I took a watch out—I took it over to Mr. Mason, the publican, to show him, and ask his advice, and begged him, if he had heard of a robbery, to say I had got the property—I told another person of it also—at night I delivered the box to the officer, and the watch also.

JOHN BURNHAM. I am a policeman. I received the box and watch from Kent, and have produced them here.

WILLIAM ARGENT. I received information of the robbery, and went in pursuit of the prisoner, between nine and ten o’clock on Friday night, the 1st of May—I met her about 100 yards from the house, stopped her, and asked where she had been for the last half-hour—she said, “To a person’s house, lining a pair of trowsers”—I said, “Where?”—she said, “A house in White’s-row”—I took her there, and the person said she had not seen her for four or five hours—she then said she had been at another place, which she could not tell me of—I searched her, and found two keys on her, one of which unlocks the box.

ANN O’BRIEN. I am the wife of a policeman. The prisoner was brought to the station-house on Friday night—I searched her—while I was doing so, I observed her take something out of her bosom, and place it under the sole of her foot—it turned out to be 20s. 6d. in silver, wrapped in a piece of brown paper—they are in different coins—she refused to give me the money at first—she stooped down, and took it from her foot, and kept it in her hand, but I got it from her—she said it was her own money, and begged I would not give it to the inspector.

HENRY WEBB. I am the son of Elizabeth Webb. On the Wednesday before the robbery I gave my mother two half-crowns, fifteen shillings, and two sixpences, in a piece of whitybrown paper—she gave me 6d. of it back afterwards—I believe the money in this paper to be the same—it contains two half-crowns, fifteen shillings, and a sixpence—this I believe to be the same paper, because I tore it off a large sheet.

(Property produced and sworn to.)

Prisoner’s Defence. I know nothing of it at all.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy.*

Confined Twelve Months.

1466. WILLIAM SMITH was indicted for feloniously breaking and entering the dwelling-house of William Dutton Townsend, on the 9th of May, and stealing therein 1 necklace, value 6*l.*, his goods.

WILLIAM DUTTON TOWNSEND. I am a pawnbroker, in Russell-street, Covent-garden. Last Saturday evening I was in my shop—I observed the prisoner through the shop-window, with a companion, standing outside the window, crouching down at a pane of glass—I was about to show a person

an article for sale, and observed a neck lace moving in the window—on looking at the prisoner and his companion they caught sight of me, and ran away—I saw a hole at the corner of the window—the necklace was then drawn through—it had been at the back part of the window, but they had drawn it from there by a wire, with a hook at the end of it, which I have got—one part of the pane was out—the necklace had been in the window in a case—I found part of it drawn through the hole—when they ran away I immediately pursued them, with my young man—I kept sight of them till they crossed Bow-street—my young man ran round Bridge-street way, and I saw him collar the prisoner—I had only lost sight of him at two turnings, but there were no other boys in the court to interrupt my sight—I know he was one of the boys at the window, because I followed him close—when I got round the first turning I saw two boys running before me—I did not lose sight of them again till I got to the second turning—I was still about the same distance when I got round the second turning—they were still running, and my young man caught the prisoner, who I am sure was one of them—I gave him in charge to the policeman—I went back to my shop—there was nobody else near my shop at the time—it was quite daylight—I am sure he is one of them—the window had been whole in the morning.

JAMES RATCLIFF CHESTER. I am in the prosecutor's employ. I saw the prisoner and another boy at my master's window—they ran away as Mr. Townsend went to the window for something—I ran after them, and caught the prisoner—I cannot speak to his face, but when I got to the door, I saw him running and turn up the court, and Mr. Townsend after them—I followed, and saw them running up the court—there is only one outlet—I ran to the corner of Bow-street, and saw them come out of the court—the prisoner was the last that came out, and I secured him—I had gone round to meet them, and caught them after they had got out of the outlet—I afterwards examined the window, and found it broken, and the necklace hanging, about three inches of it, out of the corner of the window—the whole of it had been moved from its place, I am sure—I found a wire attached to the end of the neck chain, which was hanging out of the hole—this is the necklace and wire.

Prisoner's Defence. I was playing near Covent-garden theatre on Saturday night, and sat down to rest on the step of a door, and this young man came and took me.

GUILTY of Stealing only. Aged 14.—Transported for Seven Years.

1467. EDWARD SPEED and JOSHUA LEADER were indicted for that they, on the 30th of April, in and upon John Weatherley did make an assault, putting him in fear, and taking from his person, and against his will, 1 pair of boots, value 20s., the goods of William Weatherley.

JOHN WEATHERLEY. I am eleven years old. On Thursday, the 30th of April, I went with a pair of boots into Lincoln's Inn-fields, at about a quarter-past six o'clock—my father is a boot-maker—they were his boots—I was taking them to a customer—I was passing by the end of Angel-court, Long-acre—Leader came and took the boots from me, and another man held me by the arm—I cannot speak to him—Leader ran up Angel-court—I cannot say whether the other one did or not, nor what became of him, I was so confused at the time that I did not see—it was quite day-light.

Cross-examined by MR. PAYNE. Q. You went to the station-house, and gave information? A. Yes, to Bow-street—I had never seen Leader before, but am quite sure of him—I saw him again two or three days after.

JAMES MOULDS. I am fifteen years old. I live at the corner of Banbury-court, Hart-street, leading to Long-acre. On Thursday evening I saw the prisoners run up Angel-court—one of them had a pair of boots under his arm—they went into the first house they came to, on the left, in Rose-street—I do not recollect which of them had the boots—*it was the 40th day of the month—I do not mean the 14th*—nobody told me it was the 40th—it was between four and five o'clock, I think, but I am not quite sure—I heard people hallooing out "Stop thief" at the time these men were running past—I saw Weatherley running after them—I was before him—I knew Leader before by name, and the other by sight—I did not know his name.

Cross-examined. Q. When did you first give information to any body about this? A. To my master the same day—I was examined before a Justice not quite a week after—I do not know who keeps the house they ran into—I did not tell any one that they had run into the house at the corner—nobody there is a relation of mine—I was going after some money that was owing to my master—I did not offer to help Weatherley to find them at all—I let him go on.

JOSEPH LEWIS ASHMAN (*police-constable F 119.*) I apprehended Leader on Saturday evening, the 2nd of May—in going to the station-house he asked me what I took him for—I told him, for stealing a pair of boots from a little boy in Long-acre—he said, "How does he know I stole them?" or something like that—I said I should get him to identify him—he said, "If so be he identifies me I shall be all right, if not I shall be turned up."

Cross-examined. Q. Did he not say he never stole them? A. Yes; he said he knew about them, but did not steal them—I do not know what he meant by saying it would be all right if he identified him—I did not find out the witness Moulds—I do not know how he came to be found.

THOMAS KELLY (*police-constable F 40.*) I apprehended Speed—I came up with him shortly after Ashman apprehended Leader—I said, "I want you for the robbery of the boots on Thursday last"—he said, "I will go with you, but I did not commit the robbery"—he said, "I know who did it," and said something further, but I could not tell what it was.

(Leader received a good character.)

LEADER—GUILTY.—*Recommended to mercy.*—Confined
Six Months.

SPEED—NOT GUILTY.

NEW COURT.—*Saturday, May 16th, 1840.*

Sixth Jury, before Mr. Common Sergeant.

1468. JAMES ALLEN and WILLIAM MEACOCK were indicted for stealing, on the 7th of May, 30lbs. weight of hay, value 1s. 6d., the goods of James Hitchcock, the master of James Allen.

MR. BALLANTINE conducted the Prosecution.

WILLIAM UNDERWOOD (*police-constable T 191.*) About half-past three o'clock on the morning of the 7th of May I was on duty at Northalt, fourteen miles from London—I saw Allen at the prosecutor's hay-stack—he scraped up an armful of hay from the bottom cut, took it to the load which was ready for him to take to market, and pushed part of it in between the trusses—while he was doing so some one called him, and he walked away with part of it under his arm into the yard—as soon as he was gone I went and informed the prosecutor—I did not see any one else.

Cross-examined by MR. DOANE. Q. You distinctly saw Allen take it from the rick? A. Yes; he had not to carry it half-a-dozen yards.

JAMES HITCHCOCK. I am a farmer, residing at Northalt. I received information—I got up directly, saddled my horse, and watched Allen about a mile and a half on the road—he was my servant—the cart was to go to the Hay-market, to Mr. Sims the salesman—it was laden the night before—I allowed him a truss of hay for his horses the night before, part to be in the sack and part on the load—he had no right to go to the hay-rick to take any more—I went to the Ealing station-house, and told the policeman—I after that heard that Allen was in custody.

Cross-examined. Q. He had a right to a truss of hay? A. Yes—about 20lbs. was in the sack, and 34lbs in the cart, but he had about 50lbs. in the sack the night before, and there ought to have been about 20lbs.—I saw a quantity of hay in the sack which belonged to me.

MR. BALLANTINE. Q. How much hay did you lose altogether? A. When I saw the cart, after the prisoner was in custody, there was not more than 15lbs. in the sack—I lost about 30lbs., which I saw over-night in the sack, and about 20lbs. from the rick—he had about 50lbs. more in the cart than he ought to have.

JOHN CHAMP (*police-constable T 137.*) I received information, and went to the Feathers public-house, at Ealing—Allen pulled up to the trough, and gave his horses some water—he then pulled out an armful of hay from a sack by the side of the cart, and put it under the horse-trough—he did not give his horses any thing to eat—he and Meacock, who is ostler there, stood talking together at the time he pulled the hay out—Allen then pulled out another lot of hay, and put that under the trough—Meacock was still standing by—Allen then drove on—I ran and took him into custody—I took him to the station-house—I went back, and saw Meacock with the hay (about 30lbs.) going across the yard—I asked what business he had with the hay—he said the farmers allowed him the hay for water.

MR. HITCHCOCK re-examined. I did not allow my servant to leave hay at any public-house for water—the hay that was in the sack was mine, and it was taken out.

Allen's Defence. My master says I took 30lbs.; it was never weighed; it was only three handfuls I took from the cut and tucked a part in between the load, and the rest I took into the stable for my horses before I went out; it was only a bit of hay I left for the water.

ALLEN—GUILTY. Aged 18. { Recommended to mercy by the Prose-
MEACOCK—GUILTY. Aged 22. { cutor.—Confined One Month.

1468. JAMES MORRIS was indicted for embezzlement.

RICHARD CROSS. I am a saddler, and live in St. James's-street. The prisoner was my errand-boy, and if he received money, it was his duty to pay it to me. On the 13th of March I sent him to receive 1*l.* 14*s.* 3*d.* for me—he did not pay it me, but absconded.

WILLIAM PAYNE. I am in the employ of Mr. Shoolbred, of Jermyn-street—on the 13th of March the prisoner came, and said he had come from Mr. Cross for the amount of his bill, and I paid him 1*l.* 14*s.* 3*d.*

GUILTY.* Aged 18.—Transported for Seven Years.

1469. ALFRED BONNER was indicted for stealing, on the 11th of April, 1 cart, value 4*l.*; 1 set of harness, value 1*l.*; and 1 collar, value 5*s.*; the goods of William Marriott.

MR. PAYNE conducted the Prosecution.

WILLIAM MARRIOTT. I live at Southam, in Warwickshire, and am a cattle-dealer. On Sunday, the 5th of April, as I was going to Barnet-fair, I left my cart at the Bald-faced Stag public-house at Finchley—I have known the prisoner a year or two, he had done jobs for me—he was near enough to hear the direction I gave the ostler at the Stag—I left my cart there because the pony set to kicking, and I could not get on—I told the ostler to take care of it till I called for it—after that the prisoner went on to Barnet with me—he remained with me two or three hours—I then left him at Barnet, and I went on—the value of my cart was 4*l.*—the harness and collar were worth 25*s.*—I gave the prisoner no authority in any way to sell the cart for me.

Cross-examined by MR. CLARKSON. Q. When did you buy the cart? A. Three or four months ago, in Warwickshire—I gave 6*l.* 10*s.* for it—the kicking pony had broken one board in front—I had not used the cart a great deal—I left the prisoner on that Sunday, and gave him 2*s.*—I was going to take him into the country, to try to get him a situation—I am sure he was near enough to hear what I said to the ostler—I would have given 4*l.* for the cart.

WILLIAM GOODYER (*City police-constable, No. 124.*) The prisoner was brought to me, and charged with stealing a cart and set of harness.

WILLIAM HENRY MALTWOOD. I live in John-street, Portland-town. The prisoner came to me on Friday, the 10th of April, and said he had a cart and harness for sale at the Bald-faced Stag public-house at Finchley—I had a horse, and I borrowed a cart—the prisoner and I and two more men went to the Bald-faced Stag, and saw the cart—it was a small one, and would not suit me—the prisoner tied the cart behind mine, and brought it away to my house—there was a harness and a collar in it—when we got to Portland-town I bought the harness for 5*s.*, and let the cart be at my stable—he said he wanted to sell it, as he was going into the country—on the Tuesday following he came again, and brought Edwards—he sold the cart to him, and Edwards took it away.

Cross-examined. Q. Did he tell you the horse kicked? A. Yes—he told me a young man told him to sell it, and give him the money when he saw him—all the front of the cart was broken and gone, except one piece on the top—it was not worth 2*l.*—the harness was not worth 20*s.*

MR. PAYNE. Q. Were not the sides, and wheels, and shafts, all right? A. Yes—I am a painter—I painted the name off the cart by his permission.

JOHN EDWARDS. I live in Willow-walk, Shoreditch. The prisoner

came to me on the 14th of April, and said he had a cart to sell, that it was his own, and he had been using it—he asked me 2*l.* for it—I gave him 30*s.*

GUILTY. Aged 21.—Confined Three Months.

1470. **ELIZA LOVETT** was indicted for stealing, on the 12th of March, 1 shirt, value 5*s.*; 1 shift, value 4*s.*; 1 pair of drawers, value 2*s.*; and 1 bed-gown, value 6*d.*; the goods of John Carter.

CATHERINE CARTER. I am the wife of John Carter, and live at New-end, Hampstead. I hung these articles in Hampstead-square to dry, on the 12th of March, about two o'clock—I missed them between four and five o'clock—on the 16th the prisoner brought the baby's bed-gown, and said she had picked it up in Duke's-square, that Lowe, the gardener, saw her pick it up, and cried, "Halves"—I said I did not care about the old bed-gown, but I wished I could get the other things, as, after I had been laying the young man's money by to do me good, I must now lose half of it, to pay for these things—she said the better way would be to search the pawn-shops—I said I had not time, neither did I understand it—she said she was going to town, and if I liked, she would do it, and call and tell me the next day—she did not come the next day—I went to where she worked, and saw her—she turned round and said, "Ah, mother Carter, I have no luck for you"—this shirt and shift are mine—(*examining them*)—the drawers I have not got.

SAMUEL RUGGLES (*police-sergeant S 13.*) I took the prisoner—I told her I wanted her for stealing a shirt and other articles of Mrs. Carter's—she said she had heard something about it—I took her to Mrs. Carter's to sign the charge, and she said, "Mrs. Carter, if you won't give charge I will pay you double the money of the things"—when she got to the station-house she said she had picked up a shirt, shift, and pair of drawers, in Duke's Head-alley.

Cross-examined by **MR. BODKIN.** *Q.* Do you know that this woman lived with a butcher? *A.* Yes—it was not the butcher who told me about it—I have no reason to believe that he is the person who set this matter on foot—I got the duplicate of the shirt and shift from the prisoner's mother.

CHARLES BARNETT. I have the shirt and shift, which were pawned by a person who I believe was the prisoner.

GUILTY. Aged 27.—*Recommended to mercy.*—Confined One Month.

1471. **JOHN M'DONALD** was indicted for stealing, on the 5th of May, 1 pair of shoes, value 2*s.* 6*d.*, the goods of William Warne.

WILLIAM WARNE. I live in Mill-street, Lisson-grove, and am a shoe-maker. I received information on the 5th of May, and went out—I saw the prisoner going down Bell-street—he dropped these shoes, which are mine—I took them up, and he was afterwards stopped—I had seen them shortly before hanging on an iron in front of my shop.

GUILTY. Aged 16.—Confined Three Months.

1472. **MARY SANDERS** was indicted for stealing, on the 11th of May, 1 coat, value 6*s.*; and 1 pair of trowsers, value 4*s.*; the goods of Thomas Sneed.

THOMAS SNEED. I am butler to Mr. Ward, of Bryanstone-square. I was called on the 11th of May, and found the prisoner in the passage—I did not see any thing with her then—this is my coat and trowsers—(*looking at them.*)

SARAH FRANKLIN. I am kitchen-maid at that house. I saw the prisoner coming out of the pantry with the coat and trowsers—I asked her what she wanted, and she asked me to buy a stay-lace of her—she wanted to go into the kitchen, and ask the other servants—I said they did not want any—she then went out into the area, and had these things under her arm—I asked her what she had got—she said, “For God’s sake don’t say any thing, let me go and put them down,”—she ran into the pantry before me and put them down.

(The prisoner pleaded poverty.)

GUILTY. Aged 47.—Confined One Month.

1473. GEORGE GREEN was indicted for stealing, on the 29th of February, 1 necklace, value 2*l.*, the goods of Jane Cousins, from her person.

JANE COUSINS. I am single, and live at No. 31, York-square. On the morning of the 29th of February I came home in a *cab*, the prisoner opened the door of the *cab*—I went into No. 32, and laid down on a sofa, and went to sleep—I had my necklace on then, and when I awoke I missed it—I asked every one if they had seen it—they said they had not—the prisoner lodged in that house—I heard no more of it till last week, when John Davenport told me something—I then spoke to the prisoner—he said he had not seen it, and I gave him in charge—he then asked to speak to me, and said, “It is of no use, John Davenport took it off, and I pawned it.”

Prisoner. Q. On the morning you lost it you left town? A. Yes; at ten o’clock I went to Oxford, but I came home at two o’clock, and missed the necklace before I left town.

JAMES GOLDEN. I live with a pawnbroker in Tottenham-court-road. I have the necklace pawned by the prisoner on the 29th of February for 12*s.*—this is it.

(*Property produced and sworn to.*)

GEORGE PERFETT (*police-constable S 133.*) I took the prisoner—he said he neither took it, or pledged it.

Prisoner’s Defence. After the prosecutrix left town, the necklace was given me to pawn by Charlotte Davenport, the wife of John Davenport, who keeps the house.

JANE COUSINS *re-examined.* Davenport keeps the house No. 32—I live at No. 31—the prisoner was in the room when I lost the necklace, and Davenport and his wife were there—I was asleep when it was taken—he came and opened the door of the *cab*, and was in the room—I went out of town, and did not return for a fortnight, and then Davenport said that the prisoner had pawned it for 12*s.* in Tottenham-court-road, and had given him the ticket—I inquired of the prisoner, and he did not say any thing about it.

GUILTY. Aged 20.—Confined Six Months.

1474. MARY CHESHIRE was indicted for stealing, on the 29th of April, 26 yards of linen cloth, value 26*s.*, the goods of Edward Roberts: and JEMIMA DUKE, for feloniously receiving 11 yards of linen cloth, part of the same, well knowing it to have been stolen; against the Statute, &c.

EDWARD ROBERTS. I am a linen-draper, and live at Carlton-place, Hackney. On the 29th of April, I had this cloth on the counter—I was away for twenty minutes, and at that time Cheshire and another female

were there—when I came back, I saw the young man who had been serving them was absent—I went out and saw Cheshire and the female who had been with her, at a pawnbroker's door—I went and found a portion of linen at the pawnbroker's, which I believe to be mine—this is it—I went and took Cheshire, and sent a boy for an officer—she said, “For God's sake, don't hurt me, consider my family”—I said I was sorry for it.

DANIEL KENNEDY. I am in the service of a pawnbroker. About half-past eight o'clock on Wednesday evening, the 29th of April, Duke came to pawn eleven yards of linen—while I was taking it in the prosecutor called me out, and told me something—Duke asked me 5s. for it—I did not ask her whose it was, knowing her—she said it belonged to a young man a sailor—I told the prosecutor to come in, which he did, and identified it—Duke left the shop, and in two or three minutes after she returned to the door with Cheshire, and said, “This is the woman that delivered me the linen to pawn, and she has got another piece”—I took it from her, and gave it to the policeman—I detained Cheshire till a mob was collected, and I became alarmed for our own property, and let her go.

JAMES ROPER (*police-constable N 95.*) I met the prosecutor coming with Cheshire, and took her.

JAMES BETTY (*police-constable N 221.*) I took Duke—she told me that Cheshire gave her eleven yards of the linen to pawn, and had informed her she picked it up opposite Mr. Roberts's door.

Duke's Defence. I went back to Cheshire; she said she had picked it up; I said, “Come over,” and she did, and Kennedy took it from her.

(Cheshire received a good character.)

CHESHIRE—GUILTY. Aged 38.—*Recommended to mercy.*—Confined Eight Days.

DUKE—NOT GUILTY.

1475. **JOHN EVANS** was indicted for stealing, on the 12th of May, 1 ham, value 1*l.* 5*s.*; the goods of James Bennett.

JAMES BENNETT. I keep a ham and beef shop in the Lower-road, Islington. About five minutes before eleven o'clock on the evening of the 12th of May I was in the back of my premises, and coming into the shop again I caught sight of a boy with a ham—I gave information, and the ham was brought back soon after.

WILLIAM SCOTT. I live in Lower-street, Islington. I was at the corner of Queen's Head-lane, and saw the prisoner and another together—they made a stop—they had got the ham in their possession, and the prisoner said, “Here he comes, let us go”—they went down a lane—the policeman was coming after them.

FREDERICK ROBERT HERBERT (*police-constable N 93.*) I stopped the prisoner—he threw the ham down.

Prisoner's Defence. I was coming across the fields, and the policeman took me—I had not had the ham.

GUILTY.* Aged 19.—Transported for Seven Years.

1476. **ROBERT M'GREGOR** was indicted for stealing, on the 7th of May, 1 plane, value 1*s.* 2*d.*; the goods of Robert Walker and others.

JOSEPH SOMES. I am shopman to Robert Walker and others, pawnbrokers. About eight o'clock at night on the 7th of May, I was taking in goods from the front of their house—a man called out, “A man has

stolen a plane"—I saw the prisoner a few yards off—I took him by the arm and said, "Where is the plane?"—he took it from under his jacket, and said, "How much is it? I will pay you."

RICHARD CLAYTON (*police-constable K 265*.) I took the prisoner, and have the plane.

Prisoner's Defence. I was in company with a countryman, he was purchasing some tools, and coming down this street I took up this plane to look at; the lad asked me if I was going to purchase it; I said, no, I knew a person who was going to purchase some tools, and I did not see him; then the lad came up and spoke to me.

GUILTY. Aged 35.—Confined Three Months.

1477. JOSEPH GARDENER was indicted for stealing, on the 11th of May, 1 work-box, value 8s., the goods of William Ewer.

HENRY NOWLEN. I am apprentice to William Ewer, in High-street, Islington. I saw this work-box safe about two hours before it was stolen on the platform inside the shop—I had been absent a few minutes and saw the prisoner coming out of the door with the box under his arm—I took him, and called my master down.

Prisoner's Defence. I picked it up.

GUILTY.* Aged 17.—Transported for Seven Years.

1478. JOHN SMITH was indicted for stealing, on the 2nd of May, 2 spectacle-frames, value 2*l.* 5*s.*; the goods of Andrew Ross and another.

THOMAS SMITH. I am shopman to Andrew Ross and another, who live in Regent-street. The prisoner came in and asked to look at a gold eye-glass for Mr. Jones, of Jermyn-street—I took a tray of gold and silver articles from the counter, and showed him some—he said he wanted one with two glasses, a double one of the best chased solid gold—I showed him two, and said the price was 3*l.* 10*s.*—he said the one that Mr. Jones had he had paid 3*l.* 15*s.* for—I was obliged to leave that part to ring a bell for a person to attend to another customer—I then came back, and missed an article from the tray that I had shown the prisoner—he went out, and said ten minutes would do to send them round—I followed him and saw him go into a public-house—he was examining something—I got a policeman and took him, found one frame that I had not missed, and on searching him further we found this other, which I had missed—I went home and missed them both.

Prisoner. Q. Have you any mark on them? A. No, I know the articles.

ADOLPHUS TEAL (*police-constable C 107*.) I took the prisoner, and found one of these frames in his handkerchief, and the other in the lining of his hat.

Prisoner's Defence. Both of them belonged to me; I did not know the exact value of them; I bought them of a Jew; he told me I should gain money by them, and I went to the prosecutor's shop to ascertain the value of one similar to them.

GUILTY. Aged 19.—Transported for Seven Years.

1479. JAMES SPENCER and GEORGE SHAW were indicted for stealing, on the 7th of May, 1 venetian blind, value 5*s.*, the goods of Benjamin Reeves and another.

CHARLES CRACE. I am in the employ of Benjamin Reeves and

another, and live in the Kingsland-road. The venetian blinds were outside the shop on the 7th of May—I heard some were missing—I ran out and saw two persons resembling the prisoner, one of whom was carrying a blind—I told the policeman—we joined in pursuit, and saw them standing at the corner of Black Horse-passage—they saw us and ran down, and were taken out of a house in the Land of Promise—the blinds were found in Black Horse-fields—I cannot say how far from where I saw them.

FRANCES ROWLETT. I live near the prosecutor's. I was looking out of window—I saw a young man, very much like Spencer, take the blind from the door.

MARY ANN TYSON. I live in the Land of Promise. The prisoners came up my premises, into my house, on this evening—I did not know them—they had no business there.

COLIN ALEXANDER MILNE GRANT (*police-constable N 378.*) I saw the prisoner from a quarter to half-past three o'clock—Spencer had this blind with him—I saw them coming down to Haggerstone—I was overtaken by Crace, and told something—I went in pursuit, and caught sight of them in Kingsland-road, near the Black Horse public-house—they had not got the blind then, but they saw me, and ran off to the Land of Promise—I went into a house, and took them—the blind was afterwards found in the field.

JURY. Q. Are you able to swear that Spencer was in possession of the blind? A. To the best of my belief, he was—I have no doubt, but would not swear to it.

GEORGE KEMP (*police-constable N 82.*) I went in the direction they had run, and found the blind in the field, right opposite where they ran down.

Shaw's Defence. I ran into the yard, fearing we had broken a window, the woman said, "Run," and we did, but the policeman frightened her; she does not like to speak the truth.

NOT GUILTY.

1480. JOHN BRADFORD was indicted for stealing, on the 3rd of May, 1 handkerchief, value 1s., the goods of a man unknown, from his person.

GEORGE KEMP (*police-constable N 82.*) On Sunday evening, the 3rd of May, at half-past eight o'clock, I was in Shepherdess-fields, and saw the prisoner and another—I watched them half-an-hour—I saw them try several pockets, and then the other man took this handkerchief, and gave it to the prisoner—I took the prisoner, with it in his hand—a mob got round—I lost the other man, and the gentleman too—I do not know his name—I found two other handkerchiefs on the prisoner.

Prisoner's Defence. I saw a young man pick a gentleman's pocket, and went to take hold of him; I missed him, he threw this behind him, and I caught it.

GUILTY.† Aged 21.—Transported for Ten Years.

1481. JOHN SANDERS was indicted for stealing, on the 12th of May, 23lbs. weight of cheese, value 13s., the goods of Peter Austin.

EDWARD AUSTIN. I live with my brother, Peter Austin—he keeps the shop. On the 12th of May, about half-past nine o'clock, an alarm was given—I ran out and this cheese was afterwards produced—I believe it is my brother's—the prisoner was afterwards brought in—the cheese was in the window not a minute before.

Cross-examined by MR. PAYNE. Q. In an open window? A. Yes.

RICHARD CLARKE. I am a herald-painter, and live next door to Austin. I was inside my door, and saw the prisoner run off the curb, across the road, with the cheese in his handkerchief—I collared him—he dropped the cheese at my feet, and ran—I pursued about fifty yards—he fell—I held him till a policeman came up, and took him into custody.

Cross-examined. Q. Where did you see him come from? A. I saw him step off from Austin's side of the way, cross from the pavement to the opposite side, and there I collared him—there was no one running but him that I perceived—I have never seen him before—he rolled about as if he was drunk—he was not more than two yards before me all the time.

GUILTY.* Aged 30.—Transported for Seven Years.

1482. **GEORGE DAVIES** was indicted for stealing, on the 12th of May, 1 looking-glass and stand, value 8s., the goods of George Willson.

MARY WILLSON. I am the wife of George Willson, a baker, in Judd-street West, New-road. On the 12th of May I left my shop about four o'clock, and went to look after the tea—there was a looking-glass safe on a chest of drawers in the shop when I went down—I was down about three minutes—when I came back it was gone—the prisoner was brought back soon after with it—this is my glass—(*looking at it.*)

Prisoner. It was marked at the station-house. *Witness.* I put my name at the back at the station-house, but the private mark was made before it was lost.

CHARLES DITTON. I was at the back of the prosecutor's shop, and saw the prisoner going out with this glass under his arm—I know it is the property of Mr. Willson—I live in the same house.

Prisoner. Q. Did you see me going out with it? A. I did—you went about thirty or forty yards.

Prisoner. He said in his depositions I was three hundred yards. *Witness.* When I caught you that was—I had to ask the little girl in the shop whether one was missed or not before I went after you, because I did not know whether you might be a customer come to fetch it.

EVERARD PARKIN. I am a policeman. I was called to take the prisoner into custody—he said he had bought the glass, and paid 8s. 6d. for it—he begged very hard of Mrs. Willson to let him go, as he had a large family in great distress.

Prisoner's Defence. I was hawking pictures; a man came up, who I had purchased glass of before; I gave him 6s. 6d. for this, and came along; the witness saw me, ran after me about three hundred yards, and took me back.

GUILTY. Aged 32.—Confined Three Months.

1483. **MARTHA FULLER** was indicted for stealing, on the 10th of May, 1 pillow, value 1s. the goods of John Mott.

MARY MOTT. I keep a brothel. About half-past four o'clock, on the 10th of May, the prisoner came to our house with a gentleman—I showed her into a room—they were there about five minutes—the gentleman went out, and left her there—when she came, about three minutes afterwards, the servant came to me, and asked if I had taken a pillow—I went after the prisoner, and found the constable had got her and the pillow—this is the pillow—(*looking at it*)—it is my husband's, John Mott.

Prisoner. I was drunk. *Witness.* I did not perceive it.

ESTHER STEPHENS. I am the servant. I missed the pillow, ran after

the prisoner, and told her if she would give it me I would let her go—she would not give it me—the policeman came and took her—she did not seem the worse for liquor.

GUILTY. Aged 28.—Confined Three Months.

1484. **JAMES HELLERY** was indicted for stealing, on the 5th of May, 4 pewter pots, value 5s., the goods of Stephen Walker.

STEPHEN WALKER. I keep the Coventry Cross public-house, at Bromley—these four pots are mine, and have my mark on them.

THOMAS GOULDING. I am a labourer. I was at Bromley, about half-past five o'clock in the morning, on the 5th of May—I saw the prisoner smash these pots between some bricks, and put them into his pocket—the policemen took him.

THOMAS MATTHEWS (*police-constable K 198.*) I received information and took the prisoner—I found these four pots on him, bent up, and this padlock.

Prisoner's Defence. I picked them up in a hole in the brick-field.

GUILTY. Aged 25.—Confined Three Months.

1485. **JOHN M'GINNIS** was indicted for stealing, on the 11th of May, 3 pewter pots, value 2s., the goods of William Garratt.

WILLIAM GARRATT. I keep the Crooked Billet, on Tower-hill—I received information on the 11th of May, and watched the prisoner out of my house—I followed him down King-street, and took this pot from his pocket—I had served him with half-a-pint of beer.

JOHN RING. I was at the prosecutor's house—the prisoner sat on my right hand—I looked round, and the pot I had been drinking out of was gone—the prisoner said, "The woman has taken it, and put it up there"—I said, "That is all right," but I thought I saw him put it into his pocket.

JAMES IRWIN (*police-constable K 290.*) I took the prisoner—the prosecutor gave me this pot—I found these other two pots in the prisoner's pocket—they are all Mr. Garratt's.

Prisoner's Defence. I cannot account how they came into my possession; I was stupidly drunk at the time.

GUILTY. Aged 40.—Confined Three Months.

1486. **ANN WILLIAMS** was indicted for stealing, on the 1st of May, 1 blanket, value 3s., the goods of Rebecca Biltclift.

REBECCA BILTCLIFT. I am the wife of Joseph Biltclift—he left me six years ago—I have not heard of him since—I live in Mason's-place, Goswell-road. On the 1st of May I left my home to go to work—I was brought home about half-past eleven o'clock, and found one of my blankets was gone—I could not swear to the blanket—it was given to me by St. Luke's parish.

JOHN BILTCLIFT. I am the prosecutrix's son. I went out, and when I came back I saw the prisoner coming out of the passage; with something under her cloak—I asked her what she wanted—she said a person named Simpson, at No. 1—I said it was lower down—she then ran off—I went up stairs, and missed a blanket—I ran after her and took it from her—she said, "Don't say any thing"—I believe this blanket to be my mother's.

Prisoner. My son paid 6s. to the prosecutrix for the blanket.

Q

REBECCA BILTCLIFT. He left a half-crown and a shilling on the table.
(The prisoner received a good character.)

GUILTY. Aged 50.—Confined Three Months.

1487. JOHN PAGE and JAMES WRIGHT were indicted for stealing, on the 20th of December, twenty yards of cotton cloth, called moleskin, value 2*l.*; 6 gowns, value 8*l.* 10*s.*; 1 counterpane, value 4*s.*; 4 bed-curtains, value 1*l.*; 8 yards of printed cotton, value 4*s.*; 3 shawls, value 3*l.*; 1 pair of scissors, value 5*s.*; and 4 yards of woollen cloth, value 12*s.*; the goods of Emma Hayes.

EMMA HAYES. I am a widow, and lodge with my brother-in-law, Mr. Peate, in Ratcliff-highway. The prisoner assisted to take my things there—I had the misfortune to lose a part of my family, and could not attend to my things immediately—when I afterwards examined my trunk I missed the property stated, and found in my box a piece of a file—this moleskin, and this cloth are mine—(*examining them.*)

JOSEPH PEATE. I keep a shoe-warehouse. The prosecutrix's boxes were in my house, and the prisoners were in my employ—after these things being lost I gave them into custody when they came again—I found this file in a bin in my warehouse, with a small piece broken off it, and the bit found in the prosecutrix's box exactly matched it.

RICHARD HANNANT. I am a tailor, and live on Stepney-green. On a Monday, in the beginning of April, the prisoners came to me, and said they had left their master, and were going into the country—they had three duplicates they wanted to part with to get some money—I had no money then—they came again at the end of the week, and I bought the duplicates of them—they led me to where I found the moleskin and cloth, in different places, in pawn.

THOMAS SQUIRES (*police-constable* K 216.) I took the prisoners—I spoke to them about the file—they denied it at first, and then Page said, "I recollect I had seen the file at Mr. Peate's."

Wright. There was a bricklayer at work there.

MRS. HAYES *re-examined.* These things were safe after the bricklayer left.

PAGE—GUILTY. Aged 23.

WRIGHT—GUILTY. Aged 22. } Confined Six Months.

1488. JOSEPH WILLIAMS was indicted for stealing, on the 2nd of May, 1 handkerchief, value 1*s.* 6*d.*, the goods of John Upsall.

JOHN UPSALL. I am a pawnbroker, and live in Ratcliff-highway. On the 2nd of May, about eleven o'clock, the prisoner was brought to my shop, with this handkerchief, which had been hanging at my door a few seconds before.

JOHN STAPLETON. I live in Mary-street, Stepney. On Saturday night, the 2nd of May, I was crossing to Mr. Upsall's door, and saw the prisoner have hold of this handkerchief—I took him with it—he had got part of it under his jacket.

Prisoner. It was *chucked* down by two boys.

GUILTY.* Aged 19.—Confined Six Months.

1489. ANN GRAY was indicted for stealing, on the 4th of May, 1 bonnet, value 1*s.*, the goods of Henrietta Walker.

HENRIETTA WALKER. I live with Mrs. Phillips, who keeps a clothes-shop in Blue-gate-fields. On the 4th of May, about half-past nine o'clock,

the prisoner and two others came to the shop—after they were gone I missed my bonnet—this is it.

SARAH Eeles. I was at Mrs. Phillips's shop—the prisoner and two others came in—I saw the prisoner take a bonnet like this one.

WILLIAM ISAACS (*police-constable K 223.*) On the 5th of May I went to where the prisoner lived—I found her there, and this bonnet was concealed down the privy.

GUILTY.* Aged 45.—Confined Six Months.

1490. HENRY COSTER DENNINGTON, *alias Henry Dennington*, was indicted for bigamy.

HANNAH CARLING. I live in Carlile-place, Portman-market. I was married to the prisoner on the 5th of April last, in the Holy Trinity Church, at Hull, in Yorkshire—he represented himself as a single man—I knew him here in London as a policeman—I had been living in London, and we went down to Hull to be married—my friends live a little way from Hull—we came to London on the 26th or 27th of April—he left me in Carlile-place on the evening of the 27th of April, and I did not see him again till he was taken on the 28th—I had no money—here is the certificate of my marriage.

Cross-examined by Mr. FRAZER. Q. Do you know the prisoner's brothers? A. Yes—the prisoner represented himself as single—I am not aware that he believed himself to be single—he was not unkind to me—I have given money to the solicitor for a counsel for him.

Court. Q. Who is the prosecutrix? A. I am—I had property of the prisoners, and I made money of his clothes.

THOMAS FORSTER. I keep a general shop, at West Potter-gate, Norwich. I have known the prisoner fifteen or sixteen years—I was present at his marriage, nearly fourteen years ago, at Lakenham Church, Norwich, to Mary Robins, who is in Court now—I produce a certificate of the marriage from the clergyman of the parish.

Cross-examined. Q. Are you aware whether the prisoner believed that he was single? A. I cannot say—I only knew his first wife by the name of Mary Robins.

EDWARD KELL (*police-constable A 103.*) On the 28th of April the prisoner was given into my custody, by both his wives, in the parish of Marylebone—he said he hoped they would make it up between them, and settle it.

GUILTY. Aged 31.—Confined Six Months.

1491. LYDIA SALISBURY was indicted for a misdemeanor.
NOT GUILTY.

1492. GEORGE DOUGLASS was indicted for stealing, on the 8th of May, 2 razor-strops and cases, value 11s., the goods of Eliza Drury : and WILLIAM JOHNSON, for feloniously receiving the same, well knowing them to have been stolen ; against the Statute, &c.

JOHN M'DOUGALL. I am in the service of Eliza Drury, a hair-dresser, in Southampton-row, Bloomsbury. On the 8th of May, about half-past nine o'clock Douglass came in and asked for a half penny worth of hair pins—he was not in the shop a minute—I had had two razor-strops there, and missed them in about three minutes—I had not seen Johnson at all—I ran out into Great Ormond-street—I there caught sight of Douglass again, and Johnson was in his company—I followed and watched them, and gave

information to the policeman, who took them as they were looking into a silversmith's shop in Lamb's Conduit-street—these two strops were found on Johnson, and are what had been on our counter.

JAMES SHEEN. I am a policeman. I took the prisoners, and found these strops on Johnson—he abused me, but did not say any thing about them.

DOUGLASS—GUILTY. Aged 16.—Confined Three Months.

JOHNSON†—GUILTY. Aged 19.—Transported for Seven Years.

1493. ELIZABETH DUNKS was indicted for stealing, on the 12th of May, 1 pair of boots, value 20s., the goods of William Wood.

THOMAS FRANCIS. I am shopman to Mr. William Wood, of Wood-street. On the 12th of May, about twenty minutes past eight o'clock in the evening the prisoner came in with another woman, who asked the price of some shoes in the window—I told her, and she said, had we not some lower—I said, “No”—they left, and I missed a pair of boots—I ran out and caught the prisoner about two yards from the door, and she dropped these boots from under her shawl.

THOMAS DAVIS. I am beadle. I was within a few yards of the prosecutor's door—I saw the prisoner come out with another—the shopman came out and took her—I saw these boots fall from her.

GUILTY.* Aged 19.—Confined Six Months.

1494. SUSANNAH MANTON and MARY MANTON were indicted for stealing, on the 13th of May, 1 gown, value 5s., the goods of Catherine Madden.

CATHERINE MADDEN. I live in Lumber-court, and am a widow—I keep a lodging-house. The two prisoners came on the 13th of May to ask for a lodging—I said I could not let it them till the afternoon, and they must bring me a reference—they sat down for some time and said they would bring me a reference—as they were going out they took my gown, which was hanging on the door—I called my son, who went after them.

MICHAEL MADDEN. I went after the prisoner, from what my mother said—I found the gown under Susannah Manton's shawl—I gave them in charge.

(Susan Manton received a good character.)

S. MANTON—GUILTY. Aged 17.—Confined Eight Days.

M. MANTON—GUILTY. Aged 16.—Judgment respited.

1495. WILLIAM HICKFORD was indicted for stealing, on the 4th of May, 3 lasts, value 1s. 4d., the goods of Henry Edward Dawson, his master.

HENRY EDWARD DAWSON. I am a shoemaker, and live in King-street.—the prisoner was in my employ. On the 7th of May I went to Mr. White's and found these three lasts which are mine—I had not sold them, or authorised him to take them.

EDWARD BOXALL. I am shopman to Mr. White, of Great St. Andrew-street. I bought these lasts of the prisoner on the Tuesday before he was taken.

GUILTY. Aged 18.—Confined Six Months.

1496. JAMES HOGAN was indicted for stealing, on the 10th of May, 1 handkerchief, value 4s., the goods of John M'Hele, from his person.

JOHN M'HELE. I am footman to a lady in Wimpole-street. I was going along Lisson-grove on the 10th of May—I stopped to hear a man delivering lectures on temperance—I felt something tug at my pocket—I turned and collared the prisoner with my handkerchief in his hand—this is it—(*examining one*)—it had been in my pocket.

SAMUEL BARNARD. I was in Lisson-grove, listening to the lecture—I felt my pocket tugged—I looked round and saw the prisoner standing behind me—in two or three minutes I felt my elbow touched, and I saw the prisoner with a handkerchief in his hand, winding it up—the prosecutor turned and claimed it.

Prisoner. It was thrown down at my feet by a man, who took it.

THOMAS HENRY THOMPSON (*police-sergeant D 4.*) I was passing, and saw the handkerchief in the prisoner's hand—he dropped it.

GUILTY.* Aged 17.—Transported for Ten Years.

1497. WILLIAM BAKER was indicted for stealing, on the 12th of August, 1 watch, value 2*l.*; 1 watch-chain, value 5*s.*; two seals, value 10*s.*; 1 watch-key, value 1*s.*; and 1 handkerchief, value 6*d.*; the goods of John Roden.

JOHN RODEN. The prisoner lodged with me—I went with him to the Plough and Harrow, on the 12th of August—I was half *groggy*—he said to me, “Let me take your watch and put it in the bar”—I foolishly said, “Agreed,” and I gave it him—I then went to sleep—I afterwards went to the bar—my watch was gone, and the prisoner also—I never authorised him to pawn it, or do any thing with it.

MARY ANN ANSELL. My father keeps the Plough and Harrow public-house at Stepney. The prosecutor and the prisoner were there—the prisoner gave me a watch to mind—I had it about five minutes—he came to me for it again, and said he would mind it himself—he went out, and I never saw him till he was taken the other day.

GUILTY. Aged 31.—Confined Six Months.

1498. HENRY CHURCH EMERY was indicted for stealing, on the 29th of February, 1 pair of boots, value 5*s.* 6*d.*, the goods of Patrick Grady; and that he had been before convicted of felony.

MARY GRADY. I am the wife of Patrick Grady, a tailor, in Blue-gate-fields—the prisoner lodged with us about two months. On the 29th of February I went up to his room to call my little boy—my husband's boots were there then, and the prisoner also—I went out for about three quarters of an hour, and when I returned the prisoner and the boots were gone—these are them.

JOHN BLABY. I am a pawnbroker. These boots were pawned on the 29th of February—I cannot say by whom.

HENRY ELLIS (*police-constable K 30.*) I took the prisoner, and he put the duplicate of the boots into Mrs. Grady's hand.

Prisoner's Defence. I met the woman, she said her husband was in distress for his boots; I said I would give her the money and the duplicate, and I slipped the duplicate into her hand.

MARY GRADY re-examined. He did not give me the duplicate till the policeman arrived.

THOMAS SQUIRE (*police-constable K 316.*) I produce a certificate of

the prisoner's former conviction, which I got at Mr. Clark's office—(read)—the prisoner is the person.

GUILTY.* Aged 34.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1499. JOSEPH ELLIS and FREDERICK BADCOCK were indicted for a misdemeanor. **NOT GUILTY.**

First Jury, before Mr. Sergeant Arabin.

1500. HENRY WILTON was indicted for feloniously assaulting James Dixon, on the 13th of May, putting him in fear, and taking from his person, and against his will, 1 watch, value 8*l.*; 1 watch-chain, value 8*s.*; and 1 watch-key, value 1*s.*; his goods.

JAMES DIXON. I am a sailor, and belonged to the *Phoenix*. On the 13th of May I was at a public-house near the Tower—I met the prisoner and another soldier there named Davis—Davis was in the public-house before me, and the prisoner came in after me—I had not known either of them before—we sat down and drank together—we remained there about half an hour—I had a watch, a chain, and a key in my waistcoat pocket, and a guard round my neck—I was perfectly sober—while I was there I took out my watch to see the time—we left the public-house together, and Davis made some observation, and said, “We will go into the Tower,” and we went in—Davis said he could show me the battlements, and he could show me the crown, but it was too late—we went into the Chain tavern in the Tower, and were there half-an-hour—the prisoner and I then came out, and left Davis there—I told the prisoner I wished to go home—he said I should not, I should go in again—I said I would not—he pulled me by the arm, and said I must, and as he pulled me by the arm, he pulled my watch out of my pocket—he took it by force, pulled it, and broke it off by the swivel, and ran off—I ran after him—he ran up a stair-case, and it was so dark I could not see him—I went to the sergeant—we went to the canteen, and found the prisoner—I have no doubt that he is the man—he said, “Was it me?” and said he had not seen me, or something to that effect—I said, “Yes, it was you”—I was not then perfectly sober, but knew what I was about quite well—I went home, leaving the prisoner at the door of the public-house—I went next morning to the sergeant-major, and told him about it—I swear the prisoner is the person—I do not recollect that I ever told any body that he was not the man.

Cross-examined by MR. BALLANTINE. Q. Where do you come from? A. The North of Scotland—I came here about three weeks ago—my watch was a silver hunter—I have never seen it since—I had not been in any public-house before I met with the prisoners, and had had nothing to drink—I had half-and-half to drink—I had a pint myself first, and then we had a pot or two; I believe we had two or three pots—there were no other soldiers there—when we went to the other public-house we had a pot between us three, I think that was all—I will not swear we had not more—it was about twenty minutes after my watch was taken that I saw the prisoner at the Canteen—it was about nine o'clock at night—I had never seen him before I drank with him—I cannot be mistaken about this affair—I have never been mistaken about the man who did it—I never charged another man—I never said that Davies did it—he was charged with having a hand in it.

COURT. Q. When you first saw the prisoner in the public-house, how was he dressed? A. He had his regimentals and his side-belt, and when I saw him again he had a white jacket on, and a leather cap.

JANE HAWKINS. My husband is a soldier in the 2nd battalion of Scotch Fusileer Guards, on duty at the Tower—the prisoner belongs to that regiment, and lives up the same passage that I do in the Tower. On the evening of the 13th of May I saw the prisoner run up stairs—he had his regimentals and a foraging-cap on—the gentleman who lost his watch was running after him—he fell down, and then went away—the prisoner came down soon afterwards with a white jacket, and a small leather cap on.

Cross-examined. Q. Do you know where he changed his dress? A. No—I do not know his room—I knew him very well by sight, but I did not know his name.

SAMUEL COX. I belong to the same regiment. On the 13th of May the prisoner came into the room where I was, about nine o'clock at night—he came in in regimentals, and seemed to be out of breath—he remained in the room about five minutes—he pulled off his side-belt and his red jacket, and put on a white jacket and a cap—it was not his own dress—he then went down stairs—he went into his own room, and I saw no more of him.

Cross-examined. Q. Did you see him do any thing with the watch? A. No—he did not seem to be drunk.

RICHARD SMITH. I am a sergeant of the 3rd Regiment of Guards, and was doing duty with the company to which the prisoner belongs. On the 13th of May the prosecutor told me he had lost a watch, and Mrs. Hawkins told me what she had seen—I took the prisoner into custody—he denied having seen the prosecutor, or being in his company—the prosecutor said, in his presence, that it was him—the prisoner said, “Me! I have not seen you before, nor been in your company”—he told me the next morning that he had been in his company.

Cross-examined. Q. How long has he been in the regiment? A. I cannot say—he has not borne a very good character.

MURDOCH M'KAY. I was sentry at the public-house. I saw the prisoner and the prosecutor come out—the prosecutor seemed to be the worse for liquor—the prisoner took him into the water-closet, and I heard the prisoner say he would loosen something about him, but I cannot say what it was, and the prosecutor would not allow it—they then came out of the water-closet—the prisoner wanted the prosecutor to go into the public-house again, but he wanted to go home—the prisoner took him towards the public-house, and they stood at the door some time—I then saw the prisoner run through the archway, and the prosecutor after him—they ran towards the barracks—the prosecutor afterwards came back and said his watch was stolen—I advised him to go to the public-house.

Prisoner. The prosecutor was brought into the canteen, to see if I was the man, and he said, “No”—here are two men here who know it.

Witnesses for the Defence.

JOHN LAY. I am a private in the Scotch Fusileer Guards. I was in company with the prosecutor at the Ship and Sailor public-house, in Rosemary-lane, about half-past three o'clock in the afternoon, on Wednesday, the 13th of May—I was in their company when they were drinking—I was there when the prosecutor and the prisoner went out—I remained behind—I saw the prisoner again in about twenty minutes—he came to a public-house in the Tower—he was then dressed in a white jacket—the prose-

cutor came there in about twenty-five minutes—he asked me if I was not drinking with him—I said I was—he said he had lost a watch—the prisoner said to him, “Am I the man?”—he said, “No”—there were several persons in the room, and one of them is here who heard it—I remained there a little longer, and was called out by the serjeant-major, who told us to go home and go to bed—he told the prosecutor to go home, and if there was any thing wrong to come in the morning.

COURT. Q. Then they were drinking together, were they? A. Yes—I did not think it odd that the prisoner should say to him, “Am I the man”—I might as well have asked it, as I was drinking with them—I cannot say whether the prosecutor lost a watch at all—I did not rob him—there were five or six soldiers and five or six girls drinking in the first public-house—it is generally the case, when we go into barracks in the evening, to put off our red jacket, and put on a white one.

WILLIAM MARCHANT. I was in the public-house that evening, when the prosecutor came and said he had lost his watch—he asked Lay and Wilton if they had not been drinking with him—Wilton asked if he was the man that robbed him, and he said, “No.”

GUILTY. Aged 22.—Transported for Ten Years.

1501. WILLIAM SAUNDERS was indicted for stealing, on the 7th of May, 24lbs. weight of beef, value 10s., the goods of Eliza Matthews.

WILLIAM MATTHEWS. I am the son of Eliza Matthews, she keeps a slaughter-house in Neale's-yard, St. Giles. On the 7th of May she lost from there 20lbs. weight of beef, which was the cuttings from three sides of beef, and one kidney-piece and some suet—I saw the beef again the same day, and knew it—I do not know the prisoner.

Prisoner. You said it was not yours. Witness. It belonged to a person we kill for, but my mother was answerable for it—I know it by a mark on it.

RICHARD ETHERIDGE (*police-constable* E 163.) I saw the prisoner in Laurence-lane, at half-past three o'clock that morning, with a basket with something heavy—I asked what he had got—he said, “Bones and rags”—he then put it down, and said he would not tell a lie, it was beef which he had found in the City, and begged I would look over it, as we were all obliged to get a living how we could.

Prisoner's Defence. I picked it up, and was going to have some for my breakfast.

GUILTY.* Aged 18.—Confined Three Months.

1502. JAMES WARDLE, JOHN GIBBON, and JOHN CEVILL, were indicted for stealing, on the 15th of April, 5 writing-desks, value 20s.; 5 work-boxes, value 15s., and two bags, value 6d.; the goods of Pierre Jacobson.

(The prosecutor did not appear.)

NOT GUILTY.

1503. HENRY RAWLINGS was indicted for a misdemeanor.

NOT GUILTY.

OLD COURT—Monday, May 18th, 1840.

Fourth Jury, before Mr. Common Serjeant.

1504. WILLIAM THIRTELL was indicted for a misdemeanor.

NOT GUILTY.

NEW COURT.—Monday, May 18th, 1840.

Fifth Jury, before Mr. Sergeant Arabin.

1505. JOSEPH KINSLEY and JANE KINSLEY were indicted for feloniously receiving, on the 19th of April, of a certain evil-disposed person, 15 knives, value 12s. ; and 15 forks, value 12s. ; the goods of Philip Spencer Harrison, which had been lately before stolen ; to which Joseph Kinsley pleaded

GUILTY.—Confined One Month.—House of Correction, without Labour.
(No evidence was offered against Jane Kinsley.)

JANE KINSLEY—NOT GUILTY.

ESSEX CASES.

Before Mr. Common Sergeant.

1506. WILLIAM SHAW was indicted for stealing, on the 14th of April, 73 bushels of mixture of cinders and ashes, value 10s., the goods of Thomas Bone.

MR. RYLAND conducted the Prosecution.

THOMAS BONE. I am a green-grocer, and live in High-street, Bow. About two months ago I purchased three or four chaldrons of cinders and ashes mixed together, and placed them at the back of some stables, against the mills, in Marsh-gate-lane, Stratford—I missed some little lots in about three weeks—on the 14th of April, a little after six o'clock in the morning, I missed two loads, worth 10s., and found some strewed all about—there was no other heap, of that same sort of dust, in the neighbourhood, to my knowledge—I have often seen the prisoner about, and I have seen him at the place where the officer found him—he was in the habit of carting greens, and lately I have seen him carting dust, with a blind horse—I had seen the heap safe about a quarter-past eight o'clock on the Monday night—I never gave him authority to go to my place and take ashes.

JOSEPH FERGUSON. I am a labourer, and live in Marsh-gate-lane, Stratford. On Tuesday, the 14th of April, I was up at half-past five o'clock in the morning, and saw the prisoner with a cart-load of ashes and dust together—he was going up from the lane into the high road—the lane leads from where the prosecutor's dust was—the cart was about 100 yards from Bone's heap when I saw it.

Cross-examined by MR. BALLANTINE. Q. Was Roach with the cart?
A. No, only the prisoner.

GEORGE ROACH. I keep an eating-house, in West-street, Stratford, opposite Marsh-gate-lane ; my window is directly opposite the lane. On Tuesday morning, the 14th of April, I was up about three o'clock, and before five I saw two carts go up the lane, towards Bone's heap, empty—I had suspicion, and waited—I saw them come back, in about twenty minutes or half an hour, quite loaded, and the men leading their horses very carefully, a man with each cart, and both horses were blind—I could not recognize the men.

JOHN PARKER (police-constable K 320.) On Tuesday morning, the 14th of April, Bone gave me information, and I went to the prisoner's house, about twelve o'clock—he was not at home—I waited till about one—he

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then came in—I asked him if he had been getting any dust that morning—he said, “Yes”—I asked where he got it from—he said, “Where it was to be picked up, at Bromley”—I asked if he had been to Stratford—he said, “No,” and afterwards said, “Yes”—I took him into custody—I do not know whether I named Bone’s heap to him—Bone was with me—some dust was found at the prisoner’s house—it was shown to Mr. Bone—there was a quantity of cinder-ash dust outside his house, strewed about, partly sifted.

Cross-examined. Q. How much was there? A. About two cart-loads—I will swear there was one cart-load.

THOMAS BONE *re-examined.* I examined the cinder-ash dust which the policeman showed me—I believe it came from my place—I picked up some little ferules of copper wire from it, from which I believe it was my dust.

Cross-examined. Q. Where did you get the ashes from? A. Mr. Hancock’s steam-engine manufactory—it was the first I had had from there.

NOT GUILTY.

1507. THOMAS ADAMS was indicted for stealing, on the 11th of April, 1 pair of trowsers, value 4s. 7d., the goods of William Joseph Beaumont.

WILLIAM ELDRIDGE. I am shopman to William Joseph Beaumont, of Layton, in Essex. On the 11th of April, about nine o’clock, the prisoner came to buy a halfpenny-worth of sweetmeat—I served him, and shortly after he was gone I found two pairs of trowsers lying on the floor—I looked at the bill which had come with them two days before, and found two pairs were missing—I told the policeman, and went with him to the Crown public-house, at Laytonstone—the trowsers were found in the room where the prisoner had been dancing, within an hour of my losing them—I had seen them safe that evening.

THOMAS CALP. I am a policeman. I went to the Crown public-house—the prisoner was brought out to me by another policeman—I found the property in a corner of a seat in the tap-room—every body there said it did not belong to them—I brought the prisoner, with the property, to the prosecutor, and he claimed it—the prisoner had been dancing in the room—when I found them, he said he was sorry for taking them.

Prisoner’s Defence. I went to buy the sweet stuff, and coming out of the door, picked the trowsers up.

GUILTY.† Aged 13.—Transported for Seven Years.—Isle of Wight.

Before Mr. Sergeant Arabin.

1508. JAMES BELL was indicted for embezzlement.

GEORGE CHITTOCK. I am a farmer, at Walthamstow. The prisoner was my carter—I gave him money to fetch a load of wash—I did not send him to receive money—I gave him, on the 13th of August, 18s., to pay for wash, to Mr. Carman—he returned, and did not tell me any thing—he gave me no account of what he had done—in October he told me the wash was raised 1s. a load—on the 23rd of April I went to the distillers, at Bromley, and found it was not right.

JAMES CARMAN. I am clerk at Currey’s distillery, at Bromley. Mr. Chittock bought wash of us—on the 13th of August the prisoner came and had wash, for which I charged him 9s., he gave me a half-sovereign, and I gave him a shilling out—on the 31st of August he gave me 4s. 6d., and no more—he brought a half-sovereign, and I gave him 5s. 6d. out—on the 24th of September I again gave him 5s. 6d. out of a half-sovereign.

GEORGE CHITTOCK *re-examined*. On the 13th of August I gave him a half-sovereign—he did not return me any thing—on the 31st of August I gave him a half-sovereign—he did not return me any change—on the 24th of September I gave him a half-sovereign—he did not return me any thing—it was his duty to return me the change for the wash—I found this out on the 23rd of April—he stated the first time that the wash was 10s., and so I gave him that amount always—I did not know it was ever less.

(The prisoner received a good character.)

GUILTY. Aged 26.—Confined Twelve Months.

1509. JOHN ANSLEY was indicted for stealing, on the 22nd of April, 3 handkerchiefs, value 3s., the goods of George Simmons.

GEORGE SIMMONS. I am an innkeeper, living at Barking, in Essex. I lost some pocket-handkerchiefs on the 22nd of April from a hedge on my premises, about fifty yards from my dwelling, where they had hung to dry—I had seen them safe two minutes before—I left the yard, and turned my back another way—I do not know the prisoner.

DANIEL RUSH. I work for Mr. Nelson, and live at Barking. The prisoner was near the hedge—I saw him walk towards Mr. Simmons's house, and in a short time he returned—my fellow-servant told me he thought he had done something—he was running—I pursued, and took him to the prosecutor—he had some handkerchiefs, and gave them to my fellow-servant—I cannot say whether he took them from his pocket—he had got thirty or forty rods—these are the handkerchiefs.

ROBERT BACKHOUSE (*police-sergeant K 37.*) I took the prisoner—the prosecutor produced the handkerchiefs to me, and said that the prisoner had been brought to him with them—the prisoner said there was another boy with him, who gave him his cap to go and steal the handkerchiefs, that he then ran away, and left the handkerchiefs with him, and made his escape.

THOMAS BOND. I saw the prisoner lay under the place, he then ran towards the house, and took something off the hedge—we took him, and he gave up the handkerchiefs.

GUILTY. Aged 17.—Confined Three Months.

1510. THOMAS MORRISS and **ROBERT LUCY** were indicted for stealing, on the 22nd of April, 1 bowl, value 3d.; 1 half-crown, 2 shillings, and 2 sixpences; the property of Martha Wade.

MR. PAYNE conducted the Prosecution.

MARTHA WADE. I am a widow, and keep the White Horse public-house at East Ham. On Wednesday, the 22nd of April, I was near my bar—in consequence of something I went to my tap-room in a few minutes, and saw this bowl between the two prisoners—it had been kept in the back of my till in the bar—there was 5s. in it at the time I left it—this is the bowl—I sent for an officer.

Cross-examined by Mr. Jones. Q. How long before had you seen it any where else? A. Not twenty minutes before—I had looked into it and taken some silver out—I swear I left some money in it—I left some sixpences, but there was other money put in after—I saw three or four sixpences in it—my three daughters assist me in my business—they have access to the bar at times, but had not that evening—they were at home they might have gone to the bar if they pleased.

MARTHA WADE, jun. I am the prosecutrix's daughter. It was my duty to serve the customers during my mother's absence—I was in the parlour and I heard the till-drawer shut—I went to the window, drew back the curtain, and saw Morriss quitting the bar—I had seen the till-drawer shut about ten minutes before—there were two bowls in the drawer when I left, one containing about 5s. in silver, one half-crown, two shillings, and two sixpences—the bowl that was produced before the Justice was the one that had the silver in it.

Cross-examined. Q. Were both bowls alike? A. One was larger than the other—I knew Morriss before—I am sure I saw him quitting the bar—his back was to me—I swear it was him—he had light clothes on—he had been to me for beer in the course of that day—no one else was in the bar—about twenty minutes after he left I missed the bowl—I did not go into the bar at once—I served him with beer between the time of my seeing him leave the bar and my missing the bowl—he remained in the house all the time till I missed the bowl.

CHARLES COLLINS (*police-constable K 30.*) I was called in by Mrs. Wade—I went into the tap-room, and found a bowl on the seat between the two prisoners—it was nearest to Morriss—I told them I wanted them both—I took Morriss, but Lucy resisted, and got away—I took him afterwards—this is the bowl.

Cross-examined. Q. Lucy resisted, and got away? A. Yes, very much.

WILLIAM JAMES ADAMS (*police-constable E 53.*) I assisted in taking Morriss—I found on him 8s. 4½d.—there was one half-crown and one shilling in his fob, and one half-crown, one shilling, and two sixpences in his breeches pocket.

MORRISS**—GUILTY. Aged 23.—Transported for Seven Years.
LUCY—NOT GUILTY.

1511. DENNIS DUFFY was indicted for stealing, on the 26th of March, 1 sack, value 1s. 6d.; and 120 cabbage-plants, value 1s. 6d.; the goods of Richard Evans and another, his masters.

JOSEPH MILTON. I am foreman to Richard Evans and another, market-gardeners, at Wall-end, East Ham. On the 26th of March, between eight and nine o'clock in the evening, I was going to Wall-end, and saw the watchman, who is the prisoner, coming up my master's yard—I advanced towards him, and he dropped something—I went up to him, and said, "Duffy, to-morrow being a busy day, come and make three-quarters of a day"—he said, "Very well"—he then said he had got a load of dung, if he brought it, would the master buy it—I said, "Before you go on with that, what did you drop?"—he made no answer—I advanced and found it was a sack containing these cabbage-plants—they were in my master's sack, and I have no doubt that the plants were my master's—he used to work for half a day, or three-quarters of a day, and watch at night, which made his wages about 17s. a week—I went to Mr. Waldon, one of the masters, and told him—he came out and questioned the prisoner about what he had got in the sack—he said he merely wanted a *mess*, and he hoped he would forgive him, it being the first time—I told Mr. Evans, and the prisoner was taken.

Cross-examined by MR. DOANE. Q. How long have you known him? A. He had been about twelve years in my master's service—I have a

mark on the sack—here is the mark—I am a foreman, and I can swear to it—the prisoner was never in trouble before, to my knowledge, and he was anxious to get work to do—he has a wife and two or three children.

GUILTY. Aged 50.—*Recommended to mercy by the Jury.*
Confined Six Weeks.

KENT CASES.

Before Mr. Common Sergeant.

1512. **ELIZABETH BENTLEY** was indicted for stealing, on the 23rd of April, five knives, value 1s. 6d.; and six forks, value 1s.; the goods of Catherine Jane Stockwell.

CATHERINE JANE STOCKWELL. I keep the Sugar Loaf public-house, at Greenwich. On Wednesday evening, the 23rd of April, I had five knives and six forks safe in the kitchen—I missed them on Friday—these are them—(*produced*)—some have the name of Watts on the handle—I swear they are mine—I served the prisoner on Thursday afternoon with some spirits.

THOMAS WILCOCKS. I am a furniture-broker, and live at Deptford. On the evening of the 23rd of April, the prisoner offered me these knives and forks for sale—I examined them, and asked if they were her own—she said yes—I asked her name, which she told me, and, finding a different name on the handle, I said I could not buy them, she must send her husband—he said he might not be home for an hour or two—she wished to take them away—I said, no, I must detain them, as I thought she had stolen them—I called in a policeman, and gave her in charge.

Prisoner. I beg for mercy.

GUILTY. Aged 40.—*Recommended to mercy.*—Confined
Three Months.

1513. **JOHN PAYNE** and **JOHN FREDERICK** were indicted for stealing, on the 1st of May, 2 pairs of half-boots, value 13s., the goods Robert William Reeves.

ROBERT WILLIAM REEVES. I am a shoemaker, and live with my father, at Greenwich. On the 1st of May, about half-past eight o'clock in the evening, I went into the shop, and saw the prisoner Frederick standing by the beer-shop gate, next door but one, and Payne walking by the window—I went into the back-room, and returned in about three minutes—I saw a pair of boots dragged away from over the door—I ran out and saw two lads, answering the description of the two I had seen standing about, run out of a little court by the next house, and cross the road—I ran after them, hallooing "Stop thief"—I followed them some distance, but they got away—the prisoners are the two I saw standing by the window a few minutes before, but I did not see who took the boots.

Cross-examined by MR. BALLANTINE. Q. I believe you had a capital view of their backs? A. Yes.

JOHN GOODE. I am a policeman. I apprehended the prisoners from information I received.

THOMAS ASHLEY (*police-constable R 83.*) I found these boots hid under an elm tree.
NOT GUILTY.

1514. ROBERT CALVERT was indicted for stealing, on the 23rd of April, 1 half-crown, 20 shillings, 3 sixpences, and 4 groats, the monies of Ann Judd; to which he pleaded

GUILTY.* Aged 14.—Transported for Seven Years.

1515. MARY CLARK was indicted, for stealing, on the 21st of April, 1 basket, value 3s. 6d., the goods of Richard John Rand.

SOPHIA RAND. I am the wife of Richard John Rand, and live at Greenwich. I lost a basket on the 21st of April—the policeman brought it to me with the prisoner about half-past eight o'clock in the morning—it is mine—(*looking at it*)—

Prisoner. It is my own; I had been to the fair with matches and laces in it. Witness. I know it to be mine, because my daughter caught her with it, I would not have sworn to it without—I know I had such a basket—it came from Boulogne seven months ago.

LYDIA RAND. I am ten years old. I was in the front-parlour, and heard somebody go into the back-kitchen—I asked who was there—nobody answered—when they came out I got up to look who it was, and saw the prisoner in the passage—she had our basket half under her apron, and half out—I asked what business she had with it—she said it was hers—I said it was my mother's, and called her down stairs.

GEORGE SOLE. I am a policeman. As I passed I heard the child say, "Mother, a woman has stolen our basket"—I saw the prisoner come out of the house—she ran round towards the ship dock, and I took her into custody.

Prisoner's Defence. I sat down on the step of the door, not being able to get a lodging, and while I lay asleep, somebody came, cut my pocket open, and robbed me of 3s. 2½d., besides my laces and matches which I had in my basket.

GUILTY.* Aged 55.—Confined Four Months.

Before Mr. Sergeant Arabin.

1516. WILLIAM SMITH was indicted for stealing, on the 21st of April, 1 handkerchief, value 6d., the goods of John Bowers, from his person.—2nd COUNT, stating it to be the goods of a man whose name is unknown.

JAMES BROOK (*police-constable L 118.*) I was at Greenwich fair in plain clothes on Tuesday evening, the 28th of April, between eight and nine o'clock, and saw the prisoner there following a gentleman—I kept my eye on him, and saw him take this handkerchief from the gentleman's left-hand coat pocket—he was making his way from the gentleman, and I laid hold of him—I spoke to the gentleman, and asked what he had lost—he said, "A blue handkerchief with white spots"—I showed it to him, and he said it was his—he refused to come with me to the station-house—he gave me his name "Bowers," not "John Bowers"—I do not know his name.

SAMUEL WRIGHT. I am a policeman. I was in the fair in coloured clothes, and watched the prisoner a long time—I saw him try twelve gentlemen's pockets—he turned round and saw me—I saw Brook, and told him to follow him as he was picking pockets, and he went after him directly.

Prisoner's Defence. I had just come out of Richardson's show—he could not have seen me as he says—I picked up the handkerchief.

GUILTY. Aged 21.—Confined Three Months.

1517. HANNAH CLARKE was indicted for stealing, on the 6th of May, 36 yards of printed cotton, value 1*l.*; 1 shawl, value 2*s.*; and 1 apron, value 2*d.*; the goods of Richard Johnson.

MARGARET JOHNSON. I am a licensed hawkers. I was at Woolwich on the 6th of May, at a coffee-shop, having some coffee—I had my property with me—it was in a bundle—I saw the prisoner there as a lodger—I spoke to her like another person—I left my property in the coffee-house—she said she had no breakfast—I said, “Well, I will pay for a cup of coffee for you”—I fell asleep on the table, and she took and robbed my bundle—I am sure it was all safe before—I had been asleep about an hour—she was close by me when I went asleep—when I awoke I missed four dresses and a shawl—she was then gone—no one could have taken them but her—I found three dresses in pawn at one place, and two at another—these are mine—(*looking at them.*)

JAMES ATKINSON. I am a pawnbroker. I received in pledge a remnant of print from the prisoner on the 6th of May.

JOHN BRADSHAW. I am a constable. I took her into custody, and found a duplicate of the articles on her—one pawnbroker is not here—he is ill.

(*The prisoner, in a long and unconnected address, stated that the prosecutrix and her had been drinking the whole night at various public-houses, and after the prosecutrix had spent all her money, she sent her with the articles in question to pawn, to raise money for more liquor, and gave her the duplicates to take care of, as she (the prosecutrix) was intoxicated.*)

MARGARET JOHNSON re-examined. Her statement is not true—if I wanted to pawn I should do it myself.

GUILTY. Aged 36.—Confined Twelve Months.

1518. CATHERINE M'KEE was indicted for stealing, on the 18th of April, 12 yards of muslin, value 5*s.*, and 9 handkerchiefs, value 9*s.* the goods of Thomas Rix.

THOMAS RIX. I keep a draper's shop at Woolwich. On the 18th of April, the prisoner came, in company with another female and a soldier, to purchase some flowers, but she did not—in about five minutes I was informed that she had taken some handkerchiefs—I sent for a policeman, but he did not arrive in time, and as she was leaving the shop I asked her to give me the property she had stolen—she was on the step of the door—I pulled her shawl aside, and there were these articles—she begged forgiveness for the sake of her family—the others had left the shop.

Cross-examined by MR. PHILLIPS. Q. Have you inquired about her since? A. Yes—she has nine children, and her husband has borne a good character in the army for twenty-nine years.

CHARLES BARKER. I was in the shop—the prisoner came in with another woman and a soldier—they looked at some flowers, and in about five minutes I saw the prisoner stoop down—I looked over the counter, and saw the handkerchiefs on the floor—she put her right foot on them, and shortly afterwards stooped down again—I dropped a flower near the counter-flap, and on stooping to take it up, I saw the handkerchiefs were not on the floor then—I gave information to Mr. Rix.

(*The prisoner received a good character.*)

GUILTY. Aged 40.—Recommended to mercy.—Confined One Month.

Before Mr. Justice Colman.

1519. WILLIAM EDWIN was indicted for stealing, on the 13th of

May, 9 rings, value 7*l.*, the goods of William Sulman, in his dwelling-house.

JOHN SULMAN. I am shopman to my brother, William Sulman, in Stockwell-street, Greenwich. On the 13th of May, a few minutes after eight o'clock in the morning, I had occasion to take a pail from the shop into the yard—I left a little child about five years old standing at the shop-door—I returned in one or two minutes, and found the prisoner in the shop, standing close to the door—he asked if we had any split rings for sale—I showed him some—he purchased one for 2*d.*, and went away without waiting to have it put in paper—I then looked, and missed several rings from a glass case near the window—I went out, and overtook him on the road to London, laid hold of him, and said he must come with me—he said, “What for?”—I said he would see what for—he then said he had got nothing, and knew nothing—I told him he must come with me—we were going towards my brother's shop—a neighbour saw me, and walked on the other side of him—we endeavoured to procure a policeman, but could not—I took him to a neighbour's shop, and waited a quarter of an hour, but could not get a policeman—we then intended to take him to my brother's shop, and on the road he attempted to escape—he said we had not got him yet, and tried to wrestle his arm out of my hand—we took him to my brother's shop with assistance, and told him to sit down on a chair, to wait till the policeman came—the chair was about two yards from where I had missed the rings—he sat down, put his right hand in his trousers pocket, drew it out, and put both hands together—he then stretched out his left hand, and I saw him put these gold rings into a drawer—it was the drawer which I had previously taken the split ring out of which he bought—that drawer was between two and three yards from the one from which these were taken—I distinctly saw him do it, and instantly exclaimed, “I saw you put them down, there they are”—at that moment the policeman came into the shop, and I gave him into custody—I believe my sister gave the policeman the rings, but I am not certain—I believe the rings he has to be the same—when the prisoner put them down, some were strung on a piece of paper, and some were loose—I know them by the pattern to be what were missing, but I could not closely examine them—the drawer laid on the counter at the time he put them in—I did not take them in my hand, but by looking at them in the drawer, I could be certain they were our rings—I know one by the pattern of it, and I observed that, before they were moved from the drawer to be given to the policeman—I find that one here, it has a black rim round it—I had seen the rings the night before, when I closed the shop.

Cross-examined by MR. PAYNE. Q. Do you mean that you could single this particular ring out from the rest? A. Yes—the rings had been in a tray in a glass case on the counter—the glass case was not fastened—I overtook the prisoner four or five hundred yards from our house—there were several young men in the shop I took him into—we made no search of him there—my sister, the little boy five years old, and my neighbour who assisted me in bringing the prisoner back, and the policeman, were in the shop at the time he took the rings out of his pocket—my sister is not here, having been lately confined—I swear I distinctly saw the prisoner put his hand into his pocket, take out the rings, and put them in the drawer—I had looked into that drawer before I went out, and also in the drawer they were taken out of.

JOSEPH HOOKER. I am a policeman. The prisoner was given into my charge—I received these nine rings from Mrs. Sulman—I did not see where she took them from.

Cross-examined. Q. Did you find any thing on the prisoner? A. A silver watch, 9s. 6d. in silver, and 3½d.—I asked what he was doing there—he said he had come down to find Mr. Miney, a silk hatter, for the purpose of getting work—he said he had worked for Mr. Brissey, a hatter.

NOT GUILTY.

Before Mr. Sergeant Arabin.

1520. **JAMES MACKEY** was indicted for stealing, on the 5th of May, 1 oz. weight of tobacco, value 4d., 2 sixpences, and 20 pence, and 40 halfpence; the property of Charles Dickinson, his master; to which he pleaded

GUILTY. Aged 14.—Whipped and Discharged.

1521. **WILLIAM PEGG** was indicted for stealing, on the 20th of April, 1 handkerchief, value 1s. 6d.; and 1 pair of gloves, value 1s.; the goods of James Irvine Rea, from his person.

JAMES IRVINE REA. I am a servant out of place. On the 20th of April I was at Greenwich-fair—I had a pocket-handkerchief and a pair of gloves in the same pocket—I did not feel them taken—the officer who had the prisoner in custody asked if I had missed any thing—I felt in my pocket, and the gloves and handkerchief were gone—I saw a glove in the officer's hand—I know they were safe before—I had not been in Greenwich more than ten minutes.

SAMUEL WRIGHT (*police-constable P 172.*) I was on duty in plain clothes—I watched the prisoner some time, and saw him lifting the pockets of several people—he went behind the prosecutor, and took out a white handkerchief and a pair of gloves—I seized him—he dropped the handkerchief and one glove—I called the prosecutor—the other glove was lost in the crowd—he begged for mercy, and said he did it through distress—he had nothing on him.

Prisoner. I was out of employ and unable to get work; I was very hungry, and had nothing to eat the whole day; I saw the handkerchief hanging out of his pocket, and certainly did take it.

GUILTY. Aged 20.—Confined Three Months.

1522. **HENRY HUTT** was indicted for stealing, on the 22nd of April, 2 breast-pins and chain, value 2l. 2s., the goods of Benjamin Crosby, from his person.

BENJAMIN CROSBY. I went to Greenwich-fair on the 22nd of April. About eight o'clock in the evening I was opposite one of the booths—I had my breast-pins in my stock—I did not feel them taken, and did not miss them till I was told of it—I had observed the prisoner behind me for some time—I am not aware that he pressed against me—I had two pins, a pearl and an opal, connected with a chain—they have not been found.

Cross-examined by Mr. PAYNE. Q. You did not know any thing about it till the officer tapped you on the shoulder? A. No, there was a great crowd.

HENRY TIPSTAFF (*police-constable E 156.*) I was at the fair in plain clothes, and saw the prisoner behind the prosecutor—he put his hand to the prosecutor's stock, took out one pin and left the other swinging—he then

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put his hand the second time, and took that—there was a great crowd—I am certain he is the person who took them—there was another person with him—I informed the prosecutor directly—I was close beside him, and can swear that he is the person—I cannot conjecture what became of the pins.

(The prisoner received a good character.)

GUILTY. Aged 25.—*Recommended to mercy by the Jury.*—Confined Three Months.

1523. **JAMES HUNTER** was indicted for stealing, on the 8th of April, 1 pair of boots, value 8s., the goods of James White; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

1524. **JOHN MALES** was indicted for stealing, on the 22nd of April, 1 handkerchief, value 2s. 6d., the goods of Samuel Bunnan, from his person.

SAMUEL BUNNAN. I am a jeweller, and live in Exeter-place, Dover-road. On the 22nd of April I was at Greenwich-fair, about half-past six o'clock in the evening, I fancied I felt something at my pocket—I put my hand, and missed my handkerchief—I saw the prisoner in the hands of a policeman, nearly close to my right side—this is my handkerchief.

JAMES SARTAIN (*police-constable P 227.*) I was at the fair in plain clothes. I saw the prisoner, and watched him—I saw him taking his hand from the prosecutor's pocket and put it to his own—I asked the prosecutor if he had lost any thing, he said, yes, his handkerchief—I took the prisoner with his hand in his pocket, and this handkerchief was in it—when at the station-house, he was asked how he came by it—he said he found it—at the office he was asked again, and said he had it given to him.

Prisoner's Defence. I picked it up.

GUILTY. Aged 19.—Confined Three Months.

1525. **JOHN EDWARDS** was indicted for stealing, on the 23rd of April, 2 blankets, value 2s.; 1 counterpane, value 2s.; and 1 sheet, value 1s.; the goods of Edmund Sleath; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

1526. **GEORGE LLOYD** and **CHARLES WILLIAMS** were indicted for stealing, on the 20th of April, 1 thimble, value 9d.; 1 bag, value 3d.; 1 handkerchief, value 1d.; 1 penny, 6 halfpence, and 1 farthing; to which

George Lloyd pleaded **GUILTY.** Aged 19.

JANE DONELLY. I am single. I was at Greenwich-fair—I had a bag on my arm, which was looped with a ribbon—I had it cut off my arm—the policeman spoke to me—I turned round, and saw the prisoner close to me—I saw my bag in the policeman's hand—I was looking at Richardson's show—I had a silver thimble, a pocket-handkerchief, and 4½d. in my bag—this is it—(*looking at it.*)

JAMES WEBB (*police-constable V 134.*) I was in plain clothes—I watched the two prisoners for about five minutes—they were in company, and talking together—I saw them go behind two females—the prosecutrix was one—I saw Lloyd go quickly away from the prosecutrix—I took him, and found the property on him—the string was left on the prosecutrix's arm—Williams was close to Lloyd when it was done.

JAMES BROOK (*police-constable L 118.*) I was at the fair, and saw

Lloyd take a knife from his pocket, open it, and cut the string of the bag—I had watched the prisoners some time, and seen Lloyd attempt to cut a lady's reticule before.

Williams's Defence. I was looking at the show, and the officer took me; I never saw this boy.

WILLIAMS*—GUILTY. Aged 16.—Both Transported for Ten Years.
Convict Ship.

1527. **GEORGE SMITH** and **FREDERICK DARLING** were indicted for stealing, on the 20th of April, 1 handkerchief, value 1s., the goods of George Glover, from his person.

GEORGE GLOVER. I am a waiter. On the 20th of April I was at Greenwich-fair—I had not noticed the prisoners till I saw them in custody, and I saw my handkerchief partly in Darling's pocket—I felt, and my handkerchief was gone—this is it.

Smith. Is there a mark on it? *Witness.* No name, but a small hole or two that I know it by—I believe this to be the handkerchief I had in my pocket.

JOHN ARCHER (*police-constable G 150.*) I was at the fair, in plain clothes—about a quarter before five o'clock I saw the two prisoners in company—they followed the prosecutor, and closed on him—Smith took his coat up, and took the handkerchief out of his pocket, and gave it to Darling—Evans came up, threw him on the ground, and took it from him.

DAVID EVANS. I was there in plain clothes. I saw the prisoners in company for about ten minutes—they followed the prosecutor, and Smith passed the handkerchief to Darling, who put it into his pocket—I laid hold of him—he struggled very much, and I threw him on the ground—I found a green veil on Darling at the station-house.

Smith's Defence. I went to the fair to look for work, and saw this handkerchief—I took it up and gave it to my friend, whom I met.

SMITH—GUILTY. Aged 22. } Confined Three Months.
DARLING—GUILTY. Aged 18. }

1528. **DANIEL RECORD** was indicted for stealing, on the 20th of April, 1 handkerchief, value 3d., the goods of a man unknown, from his person.

JAMES BROOK (*police-constable L 118.*) I was at Greenwich, near the entrance of the railway, on the 20th of April—I saw the prisoner following a gentleman, who was making his way to go by the train—the prisoner took his handkerchief, and I took him with it—I do not know the gentleman's name.

Prisoner's Defence. I was going in among the people to get to the railway—I had this handkerchief in my hand, and was using it—it was one I had picked up.

GUILTY. Aged 20.—Confined Two Months.

Before Mr. Common Sergeant.

1529. **GEORGE WILLIAMS** and **EDWARD DUKE** were indicted for stealing, on the 21st of April, 1 handkerchief, value 3s., the goods of William Henry Rathbone, from his person.

WILLIAM HENRY RATHBONE. I am a musician in the Life-guards. On Tuesday, the 21st of April, I was in Greenwich-fair—some one called out behind me—I examined my pocket, and my handkerchief was gone—this is it—(*looking at it.*)

Williams. Q. You stated that there was a red cotton mark on the handkerchief? A. Yes, it was put in previous to my losing it.

SAMUEL WRIGHT (*police-constable P 173.*) I followed the prisoners about the fair—they talked together—I saw them attempt several gentlemen's pockets—I saw them go behind the prosecutor, and Williams took the handkerchief out of his left-hand pocket.

FRANCIS FAGAN (*police-constable E 125.*) I saw them in the fair for three quarters of an hour—they tried several gentlemen's pockets, and then went behind the prosecutor—Williams lifted up his coat-pocket with his left-hand, and took out the handkerchief with the right.

Williams's Defence. The policemen are mistaken in me. There was a great crowd, I could not stand on my feet, and they dragged me out. I know nothing about the other prisoner.

Duke's Defence. I know nothing of it.

(Duke received a good character.)

WILLIAMS—GUILTY. Aged 32.—Confined Six Months.

DUKE—GUILTY. Aged 22.—Confined Three Months.

Before Mr. Sergeant Arabin.

1530. THOMAS SPICER and JAMES GRIGGS were indicted for stealing, on the 16th of April, 24lbs. weight of lead, value 4s., the goods of Mary Jane Evelyn and another, and fixed to a certain building.

JOHN THOROGOOD. I am a policeman. On the 16th of April, about a quarter past eight o'clock in the evening, I saw the prisoners going down Church-street, Deptford—Spicer was carrying something which appeared heavy—I asked him what he had—he said, "Some lead"—I asked where he got it from—he said he had it from a man at Lewisham-bridge, but he did not know the man, nor where he lived—I took him to the station-house—I saw Griggs following him down Church-street, from the direction of Mill-lane, but not walking with him.

WILLIAM THOMAS ARTHUR. I am a policeman. On the evening of the 16th of April, at a quarter past eight o'clock, I was on duty in Church-street—I saw Thorogood stop Spicer—he took him to the station-house—Griggs was following him; and when he saw him taken, he ran away—I took him on Saturday morning—I found nothing on him.

WILLIAM CROWLEY. I am a policeman. I compared the lead found on the prisoner with the inside of the door on the prosecutor's premises, and the nail-holes of the lead correspond exactly—it was in a shed detached from the dwelling-house.

JAMES BANKS. I am receiver to the estate of John Evelyn, Esq. This is the property of Mary Jane Evelyn and another.

SPICER—GUILTY. Aged 17.—Transported for Seven Years.

GRIGGS—NOT GUILTY.

SURREY CASES.

Before Mr. Common Sergeant.

1531. ROBERT NEALE was indicted for stealing, on the 18th of March, 63lbs. weight of lead, value 11s.; the goods of Frederick Guy and Richard Hughes, and fixed to a building; and that he had before been convicted of felony.

GEORGE STEVENS. I am in the service of Richard Hughes and Frederick Guy, proprietors of Vauxhall gardens. I had seen this lead on the engine-house and stables before the 18th of March—I went to the premises after the 18th, and it was gone—there were footsteps on the premises, and the lead had been jagged and taken away by violence—on the 21st a shoe was sent over by a policeman, which I examined with the footsteps, and it corresponded exactly with the nails in number and in the size of the shoe—the lead was supposed to be taken on the 16th or 17th—some lead had been produced which I think was the lead—it was the same quality of lead, and had the same marks as regards the flushing—I have compared it with the rest on the roof, and it corresponds.

Cross-examined by MR. PHILLIPS. Q. Did you tell the Magistrate you compared it? A. I did—I believe it is in my deposition—I said it corresponded—I took it up on the place, and laid it by the side of what remained and fitted it to the gutter—I told the Magistrate that—my deposition was read over to me—what I said the first time was not taken down I believe—what was taken down was read over to me—there was nothing read to me about examining it with the gutter—I did not consider it was my duty to direct the Magistrate—I was told to attend to it, and was asked afterwards if it was true—I said, “Yes,” but there was a great deal of which I said that was not taken down—I saw the lead safe on the premises I think on Sunday morning, the 16th—it was the Sunday previous to the policeman coming, which was on Tuesday or Wednesday—I saw it on the Sunday between nine and one o’clock in the morning, on the engine-house in the gardens.

MICHAEL HIGGINS. I am a policeman. Between eight and nine o’clock at night on the 18th of March, I was in Vauxhall-street, near Vauxhall-gardens, and saw the prisoner running along with something on his shoulder—when he saw me coming close on him he got on faster—I followed and came up to him—he turned round Prince’s-row, put this lead down in a garden-fence, and ran away—I followed and secured him—next day I took off his shoe, took it to Vauxhall-gardens, and found it corresponded with the marks in the mould, and also in the number of nails, which was nine—I produce the lead.

Cross-examined. Q. Did you search him? A. Yes—I found nothing on him—I could not tear the lead asunder with my hands—I could do it with a knife—I found no knife on him.

COURT. Q. Did the lead appear cut? A. Yes, fresh cut—he was about a quarter of a mile from Vauxhall-gardens.

HENRY BAREFOOT. I am a policeman. I produce a copy of the prisoner’s former conviction, which I got from the Westminster Sessions—(read)—he is the person.

GUILTY. Aged 18.—Transported for Seven Years.

1532. **JOSEPH ROBERTS** was indicted for stealing, on the 11th of April, 40 yards of silk lacing, value 7s. ; the goods of John Henry Machu, his master.

JOHN HENRY MACHU. I am a silk-manufacturer, and live at Tulse-hill, Brixton. The prisoner was in my service—on Saturday evening, the 11th of April, he left work at eight o’clock—on the Monday the police-sergeant brought me this lacing, which is mine, and I missed it—there are forty yards of it.

JAMES CARTER. I am foreman to the prosecutor. I have examined this lace—it is his property—I missed it.

GEORGE TEAKLE. I am a police-sergeant. About eight o'clock on Saturday evening I saw the prisoner coming in a direction from the prosecutor's premises—I followed, stopped him, took him into a public-house, and told him I should search him—he said I should not, if I wanted to search him, I should take him to the station-house—he resisted very much—I was obliged to get assistance, and in his coat pocket I found this lacing.

Prisoner's Defence. I was going home; the sergeant laid hold of me and said, "Where is the handkerchief you took out of the man's pocket?" I said, "I have no handkerchief;" he took me to the public-house; I said, "It is not a fit place to be searched, take me to the station-house;" he found this in my pocket, wrapped in paper; I work in a shop where there are several men besides; I work without my coat, and somebody must have put it into my pocket.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Six Months.

1533. ANN JONES YOUNG was indicted for a misdemeanor.

NOT GUILTY.

1534. JOSEPH SHEPHERD was indicted for stealing, on the 16th of April, 1 frock, value 3s.; the goods of Gracuense Bougle.

DIANA FROST. I am servant to Gracuense Bougle, a school-mistress at Wandsworth. On the 16th of April I missed a frock—Wallis, the officer, has it, and he is not here.

JOHN WALLIS was called on his recognizance, and did not appear.

NOT GUILTY.

Before Mr. Baron Alderson.

1535. THOMAS CALCOTT and JOHN DOUGLAS were indicted for burglariously breaking and entering the dwelling house of John Warwick, on the 30th of April, at St. Mary, Newington, about the hour of three o'clock in the night, with intent to steal, and stealing therein 1 snuff-box, value 4l.; 1 pair of spectacles, value 30s.; and 1 cream-bucket, value 2l.; his goods.

JOHN WARWICK. I live in Trinity-square, in the parish of St. Mary, Newington. On the night of the 30th of April I went to bed about eleven o'clock—my wife and the servants went up to bed at the same time—I saw the house safe—I saw the parlour shutters closed and bolted—I was not well in the night, and could not sleep—before three o'clock I heard a noise which I thought was in my neighbour's house, but on listening, there appeared a sound up my stairs—I got out of bed, lighted a candle, and went down stairs—I am certain it was before four o'clock—I think it was about three o'clock—I heard the clock strike four afterwards—on coming to the stair case before the parlour I found the back doors all open—I stood there a little time and listened, and distinctly heard persons in the house—I put my ear to the parlour door and heard two persons speaking in the parlour—I had the candle in my right hand—I put it into my left, took hold of the handle of the door, threw it open with violence, put the candle inside and saw the two prisoners—I immediately seized Calcott, and gave an alarm directly—in turning to the window I saw a policeman jump

over my wall—the very instant I took hold of Calcott, Douglas saw the policeman, and said, “Sir, I surrender”—I found a snuff-box which I had left on the mantel-piece the last thing, moved on to the table, a silver bucket which is an ornament moved from the shelf on to the table, and my spectacles moved from the back room on to the table—those were the only things I found moved in the room—I found nothing on the prisoners.

Cross-examined by Mr. Bodkin. Q. Was the room you found them in the room you had been sitting in the night before? A. Certainly—I am certain those articles were not on the table when I went to bed—I might have gone out of the parlour door first the night before, but if so, the family followed directly—I had the spectacles in daily use—I had been reading, and used them—I am quite certain I did not leave them on the table—I had used the snuff-box the last thing—the silver ornament was never on the table—it is an old-fashioned cream bucket.

Court. Q. Did you look at the window? A. I found the window entirely open, and the shutters put back, as if open for the day—there is a very high folding-blind between the glass and the shutters, and that was broken, and a piece of mahogany, which was screwed on the shutter, had marks of a chisel put in between to wrench out the wood—we found no chisel on them, but two men had escaped outside—eight holes were bored through the shutter near the bolt, but the hinge of the shutter had been tried all the way up besides—it was the back-window—the blinds were carried out into the yard.

Daniel Francis Carroll. I am a policeman. About three o'clock on the morning in question my attention was called to the prosecutor's house—I went with another officer to the back of the house, got over the wall, which is between eight and nine feet high, into Mr. Warwick's garden—my brother constable stood at the window, and showed his light, and I met Mr. Warwick at the door—he said there were two fellows in his parlour—I went in with him, and secured them—I found a step-ladder against the window, which is about six feet high from the garden—that was necessary to get up to force the shutter.

CALCOTT—GUILTY. Aged 20.	} Transported for Life.
DOUGLAS—GUILTY. Aged 20.	

1536. JOHN HALE was indicted for stealing, on the 18th of September, 1 gelding, price 20*l.*, the property of William Upcott.

WILLIAM UPCOTT. I am a tanner. The prisoner came to my place previous to September last, and saw my servant—I was out of town—he came again when I returned from the country, and on one occasion I saw him—I had known him many years—he used to live at Osborne's Commission-stable, in Gray's Inn-lane—he was ostler there—I wanted to dispose of my horse—two or three weeks before the 18th of September he came, and said he understood I had a horse I wished to dispose of, and if I would allow him to show it he would bring me a customer—he rode a horse there, which he said was his—he left that, and took away mine—he was absent about two or three hours—he then brought it back, and said he could not see the gentleman, and took away his own horse—he came again some days afterwards on another horse, which he said was his own—he left that, and took away my horse to show the gentleman—he brought it back in a few hours, and took away the one he had ridden—on the 18th of September he came again, and said he knew a wood-merchant at Deptford who wanted a horse,

and he would bring it back in two hours—I let him have it, not to sell it, only to show it—I made no bargain, but if he had brought me a good customer I should have compensated him—he never returned—he promised to bring it back in an hour and a half or two hours—I became uneasy about it, and sent my servant to look for it—I have never found it—I heard the prisoner say at Guildhall that he had sold it, but could not get the money—he said he sold it to a man named Maltby, I think, or Mialtby, and Goddard, I think—he named two—he did not tell me where they lived—it was a grey gelding.

WILLIAM MOORE AYSHFORD. I am foreman to Mr. Upcott. He sent me to the prisoner's place to look after the horse—I did not find it—I found the prisoner the second time I went—he said he supposed Mr. Upcott was uneasy about the horse, but he had sold it, and was then going to the west-end to receive the money for it—I carried that message back—Mr. Upcott did not seem very well satisfied with it—he wanted his horse or the money—the prisoner did not come, but wrote a letter to Mr. Upcott the same day, begging that he would not be uneasy about the horse; he was going into the country for a few days, and when he returned he would see more about it—I went several times afterwards, but never could find him.

WILLIAM DEVONSHIRE. I am a policeman. On the 6th of May I apprehended the prisoner, in a skittle-ground in Little Moorfields—he said he had sold the horse to two *chaunters*, and had not received the money.

Prisoner's Defence. Mr. Upcott applied to me to sell the horse; he first wanted 18*l.*, then 19*l.*, then 20*l.*; he allowed me to take it away three or four times to show it, and once to trim him up and have him shod; I sold it, and he directly said he would not have it sold, but would have it back; I sold it to Maltby and Goddard, and when I applied to them for the money they only laughed at me; I intended to pay Mr. Upcott for it, having some property in Hertfordshire, and as soon as I sold that I should pay him for it.

NOT GUILTY.

1537. **THOMAS BENNETT** was indicted for stealing, on the 30th of April, at Streatham, 16 spoons, value 10*l.* 5*s.*; 3 forks, value 3*l.*; and 1 fish-slice, value 2*l.*; the goods of William White, in his dwelling-house; and that he had been before convicted of felony.

WILLIAM FEETON. I am gardener to William White, of Upper Tulse-hill, in the parish of Streatham. I was at work on the back-lawn on Thursday, the 30th of April, between twelve and one o'clock in the day, and saw a person drop off the porch over the kitchen-door, and heard the glass break belonging to the porch—I called to my son *Tom* to run to the front-gate—I also ran, and saw the prisoner go out of the carriage-gate—he turned his head aside before he got to the gate, and I saw curls at the back of his ear—I did not hear him say any thing—I followed him—he turned to the left, towards Brixton—I followed him about two hundred and fifty yards, and in turning the corner, I saw him take a parcel from under his coat and throw it down on the walk—I still followed him a hundred and eighty yards, leaving my boy to pick the property up—he got over into a back-garden, and was caught in my sight—I swear he is the man—I lost sight of him for about a hundred and eighty yards, while he passed through Mr. Marshall's garden, but that was the only time—I saw him go into Mr. Marshall's garden, but did not see him come out—I returned a short way back into the road, and saw him, with his coat off, on the road—I had

taken particular notice of his clothes—there was another person running besides—that was Mr. Charlton's gardener—he was dressed in brown trowsers and waistcoat to correspond—when I met the prisoner, after going through the garden, he was walking very leisurely along, coming towards me—he said “The young man that they were running after they, have caught just down there,” pointing with his finger—I said, “Have they? but you are the young man I am running after,” and made a catch at him—he stepped back, took up a stone, and said, “D—— your eyes and limbs, if you touch me I will knock you down”—I still advanced on him—he came to Mr. Luke's door—the servant was looking through the grating—he took his two hands, forced the door open, and ran down Mr. Luke's avenue leading to the house, ran across a small meadow, into my master's field—an errand-cart man in the road, seeing him cross the field, headed him, and took him—I had a full sight of his face, and had a glimpse of his face as he went out of Mr. White's—but I swear to him by his clothes and by the hair.

Cross-examined by MR. CLARKSON. Q. How long elapsed from the time you saw the man drop from the back-door till you saw the prisoner in custody of the carrier's man? A. Twenty minutes or half-an-hour—it could not have been much more.

THOMAS FEETON. I am son of the last witness, and foot-boy to Mr. White—I work in the garden. My father gave me an alarm—I ran round the stable-yard, and out at the same gate as the prisoner did—I noticed the prisoner's dress and his curls—I and my father followed together—I saw him drop a parcel, which I took up, and carried home—it was wrapped in a silk handkerchief—I laid it on the top of the stairs, by the side of my mistress—I went to the station-house, and got a policeman, but before I got back my father had got one—I then saw what was in the handkerchief—I saw the same handkerchief delivered to the policeman—the prisoner had curls sown on each side of his hat.

JOHN GENT. I am a policeman. I took the prisoner into custody from the gardener, with the property—he had this hat on then—it had two curls sown into it, as it has now—(*producing it.*)

Cross-examined. Q. Do you mean you took the hat from the prisoner's head? A. Yes—I cannot tell who put it on—he had it on when I received him from the gardener.

Prisoner. They are my own curls; I had a fever, and had my head shaved.

WILLIAM WHITE. These spoons and forks are my property—they were kept in a dressing-room adjoining the bed-room—he must have gone up a back stair-case at the kitchen end of the house.

Cross-examined. Q. Who has charge of the silver? A. Mrs. White—the boy assists in cleaning it—I have a kitchen at one end of the house, and a stable at the other—it is a cottage—the knives are cleaned in the stable—you do not go through the stable to the house.

WILLIAM GEERS. I am a policeman. I produce the certificate of the prisoner's former conviction; I am quite certain he is the man—(*read.*)

Cross-examined. Q. Where did you get the certificate from? A. From Mr. Clark's office—he was convicted in July, 1838—I remember it perfectly—I was in Court when he was tried—I took him into custody myself, with the watch on his person—I am quite sure it was July, 1838—he was tried at Guildford, and had twelve months' imprisonment.

GUILTY. Aged 17.—Transported for Fifteen Years.

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Before Mr. Sergeant Arabin.

1538. WILLIAM WESTON and DANIEL CLARIDGE were indicted for stealing, on the 25th of April, 1 glass case, value 5s.; and 96 cakes of paint, value 16s.; the goods of Livett Franks.

EVAN EVANS. I am in the employ of Mr. Payne, who keeps a stand in the Borough-market. On the 25th of April, I saw the prisoners in a coffee-shop—they wanted me to buy this glass case of paints, which they had on the table—this is it—(*looking at it*)—they asked 1s. 6d. for it—I said I did not want it—then they offered it for 1s. 3d., and then 1s. and part of my dinner—I at last paid Claridge 1s. for it—a young man told me not to buy it, and went and told the beadle—I asked the prisoner to give me my shilling back, and said I would not have it—the beadle came and took them.

WILLIAM JONES. I am apprentice to Livett Franks, who lives in the Borough. This glass case and ninety-six cakes of paint are his—it was in the shop that morning—I was called up stairs to know if I had taken it away about half-past two o'clock, and it was gone—I do not know the prisoners.

THOMAS LIDDLE. I am an officer of the Mint. A man gave me information—I went into the coffee-shop and sat down, and heard Evans asking the prisoner for the shilling back—I asked the prisoners where they got this—they said, from a Jew at the corner of Union-street—I knew, being Saturday, that the Jews were not there, and I took them.

Claridge's Defence. We bought them of a boy.

WESTON—GUILTY. Aged 15.—Confined Two Months.

CLARIDGE—GUILTY. Aged 13.—*Recommended to mercy by the Jury.*—Confined One Month.

1539. EMMA RUDD was indicted for stealing, on the 2nd of April, 7 handkerchiefs, value 12s.; 1 neckerchief, value 6d.; 3 pairs of stockings, value 6s.; 1 fan, value 3s.; and 2 napkins, value 6d.; the goods of Francois Louis Baud, her master; to which she pleaded
GUILTY.—Confined Three Months.

1540. JOHN COOPER was indicted for stealing, on the 21st of April, 1 blanket, value 6d., the goods of Lucy Fowle; to which he pleaded

GUILTY.* Aged 19.—Transported for Seven Years.

1541. ANN SANDS was indicted for stealing, on the 10th of May, 1 pair of half-boots, value 4s., the goods of Archibald M'Lean; to which she pleaded

GUILTY.—Confined Three Months.

1542. WILLIAM HARMAN was indicted for stealing, on the 21st of April, 3 feet of lead pipe, value 3s.; and 1 metal cock, value 1s.; the goods of the London and Croydon Railway Company; being fixed to a building.

JOHN GLASCOCK (*police-sergeant R 25.*) On the 21st of April, about twenty minutes past ten o'clock in the evening, I saw the prisoner going up New Cross, and carrying a bag with something—he went on to a house which stands by the Croydon Railway, and on a sudden I lost sight of him—when I got to the house I turned on my light, and saw the cellar-flap was open—I waited till another officer came up; we then went down into

the cellar, and as we got down I found a white-handled knife, which had the appearance of having cut lead—we found the prisoner in the back-cellar, and, at a short distance from him, this lead water-pipe, which had been cut from the house—here is three feet four inches of it, and a cock.

Prisoner. Q. Did you not meet a man and a boy coming out of the house? A. No—there were two boys there.

WILLIAM STEVENS (*police-constable B 62.*) I went down, and found the prisoner the lead, and cock there.

THOMAS COLSON. I am the superintendent of the works of the London and Croydon Railway. This lead was cut from a house which is the property of the company—I produce the Act of Parliament which constitutes the London and Croydon Railway Company a corporate body.

GUILTY. Aged 55.—Confined Three Months.

Before Mr. Common Sergeant.

1543. GEORGE SIMS and WILLIAM SIMS were indicted for stealing, on the 28th of April, 3 walking-sticks, value 1s. 6d., the goods of Henry Hammond, the master of George Sims.

MR. PHILLIPS conducted the Prosecution.

HENRY HAMMOND. I am a walking-stick manufacturer, and live in Cornwall-road, Lambeth; the prisoners were in my employ. In consequence of something I heard from Collier, I marked three dozen sticks belonging to a man named Martin, of Norwood—he had sent me three bundles, and I was to select three dozens, and the rest I was to keep—I marked the sticks with a star punch, and put them in one corner of the work-shop, and in about two days I missed some of them—the prisoners had no right to dispose of or to take them out of my house.

Cross-examined by MR. CLARKSON. Q. Were you originally brought up to this business? A. No; I took a person named Hayes in as a partner—I was to find money—I have been in business seven years—the prisoners were known to Hayes—one of the prisoners has been in my service the whole time, the other about six years and a half—one of them had given me notice that he was going to leave a week before this; the other had not left, nor did I expect he was going—I did not complain of the one leaving me—I might say I was very sorry to part with him—I asked what I had done to offend him, that he was going—I did not find that he was going into business himself—I had no idea of that—I employed Collier to go and buy a stick—that was about two days before the prisoner gave me notice to leave me—I had the two prisoners and their brother working for me—I gave them all three into custody—their brother was discharged—I had not suspected any of them before the prisoner gave me notice to quit, but I had missed property, and employed Collier to purchase property—the policeman saw me mark the sticks—I have known Collier many years—he was in the police—I believe he was not discharged—he told me so—I swear that the prisoners had no authority to sell sticks at all—Mr. and Mrs. Morris live in my house—my wife occasionally sells in my shop and receives money—I searched the house where William Sims was living, and found there a great number of sticks unprepared and undressed, as if a man was going into business—I stated that I believed they were all mine—the Magistrate did not say he did not believe there was any case against the prisoners—he said he would commit them if I wished it, or he would fine them.

MR. PHILLIPS. Q. Had you any private mark on the other sticks?
A. No.

WILLIAM CLIFTON (*police-constable B 50.*) I took William Sims into custody—about three weeks before that I was taken into Mr. Hammond's factory, and marked one of these stick smyself—this is it—(*looking at it*)—I can swear to the mark I put on it—it was not varnished then—here are three marks I put on it with a pen-knife—I received this stick afterwards from Collier.

Cross-examined. Q. When did Collier bring it you? A. On the 4th of May—it was then varnished—I had marked it about three weeks before, when it was unvarnished—I knew Collier when he was in the police—he was not discharged, he resigned to go to work, which he thought was better—there never was any thing suggested against him that I know of.

GEORGE COLLIER. I was in the police—I was not discharged, I left it through getting a better situation—I went to Hammond's factory to purchase some sticks, and both the prisoners stated that they could serve me cheaper at home, that they had got some very good sticks they could sell me cheaper—I stated that to Hammond, and he gave me money to purchase sticks—I afterwards went to a house in Little Duke-street—I saw the prisoners there, and a lot of sticks—I bought some then, and on the 28th of April I bought some others, among which were these three—I bought this one that Clifton marked of William Sims, and the other two of George.

Cross-examined. Q. What service are you in? A. In Mr. Nutting's, of Regent-street, Vauxhall-road, as a private watchman—I have been there nearly four years—my regular wages are 14s. a week, and then I go in the office, and take the men's time, and that makes up 18s. 2d., and if I do more I am paid—I was in the police from the first commencement—I received 19s. a week there—I left it for the situation I have now, which suited me better—I never heard of any complaint against me—I was on duty at a button manufactory at the time I resigned—nothing happened there to my knowledge—I have heard there was a robbery there, but I never heard of it before I left the police, to my recollection—I had 30s. from Mr. Hammond to purchase sticks—he gave me two sovereigns—I laid out 30s. 4d., and gave him the change—I had none for myself, nor do I expect to have any thing—I believe I gave one of the prisoners an order for five dozen of sticks—I have not fetched them—I did not pay for them—I paid for what I had—I went on the Wednesday after I had given the order, to see if they had got them, and I saw some sticks there—I told them I would go the next day, but I did not, for they were in custody—Mr. Hammond told me to order the five dozen.

GEORGE SMITH (*police-constable L 119.*) I have two of these sticks, which Collier gave me, and I took George Sims into custody.

NOT GUILTY.

1544. THOMAS MILES was indicted for stealing, on the 18th of April, 3 sovereigns and 5 shillings, the monies of Thomas Frederick Marsen and another, his masters.

THOMAS FREDERICK MARSEN. I am an attorney, in partnership with Mr. Dudley—we live in Church-street, Newington—the prisoner was our clerk. On the 18th of April he came with his list of business, and asked

if he should pay an account of Mr. Lloyd's for parchment—I said he would send for the money as he was accustomed to do—he came to me again in about half-an-hour, and said Mr. Lloyd had sent two or three times, and had he not better pay it, as he was passing the door—I gave him 3*l.* 5*s.* for Mr. Lloyd—he returned, and soon after absconded—it was his duty to have paid that money specifically to Mr. Lloyd.

Prisoner. Q. What time of day did this take place? A. When I came to the office, about eleven o'clock in the morning—I gave it you in the clerks' office—I gave you three sovereigns, and I believe five shillings—to the best of my recollection you had the bill—I did not ask you for the receipt afterwards, as I expected it was put on the file as usual—I entered it as paid in the book in your presence.

THOMAS LLOYD. I live in Bartlett's-buildings. The prosecutor deals with me. I do not know whether I sent to him for the 3*l.* 5*s.* or not, but I did not receive it from the prisoner.

Prisoner. Q. How many partners have you? A. Only my father, he does not take an active part in the business—I have a shopman and a collecting clerk.

COURT. Q. Do you keep books? A. Yes—if my shopman or clerk had received this it would have appeared, and it is not entered.

GUILTY. Aged 19.—Confined Six Months.

1545. JOHN NORTH was indicted for a misdemeanor.

MESSRS. CHAMBERS and DOANE conducted the Prosecution.

WILLIAM DENT. I am a general dealer, and live in Grogin-street, Stan-gate. On the 2nd of April, about seven o'clock in the evening, the prisoner came into my shop for half-an-ounce weight of tobacco—I served him—he laid me down a shilling—I gave him 10*d.* change—he went out—after he was gone I found it was a bad shilling—I went out, and could not find him—I gave the shilling to my wife, who put it on the shelf—on the following Tuesday (the 7th) between seven and eight o'clock in the evening, he came again for the same article—my wife served him—I knew him—he gave a shilling—my wife took it, bent it, and said, "It is a bad one, and you are the person that was here last Thursday; I know you"—I secured the door, shut it, and went outside, but did not leave the door—he got out of the shop—I caught him by the collar, and gave him to a policeman—my wife gave the officer the second shilling directly.

Prisoner. Q. What was the reason you gave me the change without putting the shilling into the till? A. I always look at money after I have taken it—I have taken a good deal of bad money before—I laid it on the counter, to give you change—I asked my wife to look at it—she did not put it into the till.

ANN DENT. The prisoner came into our shop on the 2nd of April—my husband gave me the shilling which he had passed to him—I laid it on the mantel-piece—I kept it carefully till the 7th, and gave it to a policeman—on the 7th the prisoner came again, I served him then—I took a shilling that he then offered—I bent it, and said, "You are the person that came in before and passed one"—my husband shut the door—he said he did not want to go out—I kept the shilling that I bent and gave it to the policeman.

Prisoner. Q. Are you sure I am the person that came in on the 2nd? A. Yes—I am sure the first shilling was never mixed with others.

MR. CHAMBERS. Q. He went off? A. Yes, he ran out—I sent the policeman after him a short distance, and he brought him back.

THOMAS WHITEHEAD (*police-constable L 103.*) The prisoner was walking off when he was pointed out to me by the prosecutor—he then ran into a privy—I lost sight of him for a moment—a person discovered he was there—I turned back, and he was coming out—I took him, and found nothing on him—I searched the privy that same night, but it was so deep I could not see whether any thing had fallen into it or not—I got the two shillings from Mrs. Drew.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. These shillings are both counterfeit.

GUILTY. Aged 18.—Confined Six Months.

1546. GEORGE LOVETT was indicted for a misdemeanor.

MR. DOANE conducted the Prosecution.

ANN BATEMAN. I am the wife of William Bateman—he keeps a cook's-shop in the Lambeth-road. On the 30th of March, about five o'clock in the afternoon, the prisoner came and asked the price of a piece of meat which laid in the window—I said, 4½d.—he took it, and put down a half-crown—I called my son Joseph out of the yard, and he took the half-crown off the counter, and went next door to Mrs. Wohlman's, for change—he returned, and 2s. 1½d. was given to the prisoner—Etheridge came to my shop in about half-an-hour, and in the meantime I had received the half-crown again from Mrs. Wohlman—I marked it, and gave it to the officer.

JOSEPH BATEMAN. I am the prosecutrix's son. I remember the prisoner coming to my mother's—he is the same person—I took the half-crown from the counter, and went to Mrs. Wohlman's—she gave me change.

Prisoner. Q. Who did you give the half-crown to? A. To Mrs. Wohlman—she put it on the counter—I stopped at home till you were brought back.

ELIZABETH WOHLMAN. I received the half-crown on the 30th of March from Joseph Bateman—I put it into the till—there were three shillings there, but no other half-crown—I took it out of the till in about three minutes, and took it back directly.

JOHN ETHERIDGE (*police-constable L 35.*) I stopped the prisoner on the 30th of March, about a quarter or twenty minutes past five o'clock, opposite the Horns public-house, at Kennington—there was a young man with him, who gave his name "Clark"—I told them I heard they had been passing bad money—the prisoner said he had not passed money any where—I took him to Mrs. Bateman's—I found on him a piece of meat, and 2s. 1½d.—I received the half-crown from Mrs. Bateman—I took the prisoner to Union Hall, and he was discharged on the 4th of April—he gave the name of George Lovett.

ROSE EMMA DREW. My brother keeps a confectioner's shop at Kennington-cross. On the 13th of April the prisoner came for a penny puff—he gave me a half-crown—my brother came in while the prisoner was in the shop, and I gave it him—I had been told to call my brother or sister, as I had taken two bad half-crowns before.

JAMES ALLWRIGHT WHEELER. I am Drew's brother-in-law. We were at dinner—she called—I went, and she gave me the half-crown—I saw

the prisoner there—I asked him if he had got any more of them—he said, “What?”—I repeated the question—I then saw a policeman pass—I gave him the half-crown, and he took the prisoner.

Prisoner. Q. How long was I in the shop? *A.* About a minute—I took care you should not run away.

JAMES CUMMINS (*police-constable L 59.*) On the 18th of April I took the prisoner, and Mr. Wheeler gave me the half-crown—the prisoner said I was a d——d fool to take so much trouble, as he had only one piece about him—I left him in the waiting-room at Union Hall, and he escaped.

WILLIAM POUND (*police-constable L 82.*) I took the prisoner on the 15th of April, near St. George's church—he gave the name of “Sullivan,” when he was taken—that is the name I knew him by.

MR. JOHN FIELD. These half-crowns are both counterfeit.

GUILTY. Aged 21.—Confined Six Months.

ADMIRALTY CASE.

Before Mr. Baron Alderson.

1547. *SAMUEL BAYLEY* was indicted for unlawfully, maliciously, and feloniously assaulting William Combes, on the 20th of April, on the high sea, within the jurisdiction of the Admiralty of England, and stabbing, cutting, and wounding him in and upon his head, right side of the face and hands, with intent, feloniously, wilfully, and of his malice aforethought, to kill and murder him.—2nd COUNT, stating his intent to be to maim and disable him.—3rd COUNT, to do him some grievous bodily harm.

MR. ESPINASSE conducted the Prosecution.

WILLIAM COMBES. I am a sailor belonging to the schooner *Sprightly*—I was cook and seaman—in April last she was coming from St. Michael's to Falmouth—I was at the helm on the night of the 20th of April, and saw the prisoner—he came aft to me when I took the helm at eight o'clock at night, and asked me where I had laid the axe, when I had done chopping wood—I told him I had left it under the windlass—I saw him go forward and take the axe, and stand it in the galley—the captain was on deck at that time, and the prisoner and him entered into conversation till about ten o'clock—that was about two hours—they were talking together the whole time—the captain then went below—I heard what passed—they were talking about the lights on the coast—it was friendly conversation—we were expecting to make the Scilly Lights about three o'clock—the captain and the prisoner went below at the same time, about ten o'clock—the captain returned on deck three or four minutes after, and the prisoner came on deck about ten minutes after the captain—I saw him come up—the captain then went forward, and had not been forward long, before I heard him cry out, “Murder, I am a dead man”—the prisoner had been forward all the time—he had never come aft—I then saw the prisoner come running aft to me with a knife and an axe in his hand—I was at the wheel—he had the axe in both hands, and the knife in his right-hand against the handle of the axe—he said in a low voice if I spoke I was a dead man—I said to him, “Good God, Sam, is it you?”—with that he made a blow at my head with the axe—here is the mark of it on the side of my head—I had a *south-wester* on my head, which is a hat covered with canvas—I could not see what part of the axe he struck me with—it cut through the *south-wester*—

I then laid hold of the axe, and he cut away at me with the knife, and cut my hand, and he tried to get at my throat with the knife, but he could not, and he cut me under the eye with it—I then *sung* out “Murder, murder, for God’s sake come up here Mr. Bowles”—that is the mate—he came up, and the prisoner was secured after making a blow at the mate—this is the axe and the knife—(looking at them.)

Prisoner. It was dark—he says he saw me get the axe, and put it in the galley—now the galley is four feet high, and there was a boat between him and the wheel—it is impossible he could see me put it in the galley unless he left the helm.

COURT. Q. Was he drunk? A. No, as sober as I am now—he was not mad—we had no quarrel at all—we were as comfortable as we could be the whole passage—he had not had a word with the captain—he behaved well before.

Q. You do not know any motive whatever for this? A. Not unless he meant to make his escape out of the vessel, as he was a prisoner—we had five men and a boy, besides him and another prisoner—he was put on board at St. Michael’s with another man for desertion—I believe he was to be delivered to the first of her Majesty’s vessels we came across—the other man was below in his bed.

JAMES BOWLES. In April last I was mate of the schooner *Sprightly*—the prisoner was on board the vessel—he was taken on board at St. Michael’s as a prisoner, for desertion from her Majesty’s ship *Cambridge*, to be delivered up to the first Justice of the Peace, or to any of her Majesty’s ships we might meet with. On Monday night, the 20th of April, I heard an alarm between ten and eleven o’clock, as near as I can guess—I was in my bed cabin—I got up, went on deck, and saw the prisoner striking at Combes with the axe—Combes was all over blood—I assisted in securing the prisoner—I went forward after I secured him, and found the fore-*scuttle* fastened with a nail—that would keep the men below—this is the knife and the axe—there was one prisoner in the fore part of the vessel, and one man and a boy belonging to the vessel, besides that there was me and Combes and the master, and there was another man on deck at the Captain’s watch—there were three people on deck at the time—the other man was forward looking out—he was afraid to come aft in the scuffle—the captain was cut, and his skull broken in—he is not able to be removed at present—Combes was much hurt.

Prisoner’s Defence. I do not know any thing about it—I have had a hurt in my head—a little drop of liquor always affects me, and I had been drinking two glasses that day—it affected my head.

GUILTY—DEATH. Aged 28.

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CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. EIGHTH SESSION.

A star () denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk † that a prisoner is known to be the associate of bad characters.*

LONDON AND MIDDLESEX CASES.

OLD COURT.—Monday, June 15th, 1840.

First Jury, before Mr. Common Sergeant.

1548. THOMAS DALLAS was indicted for an assault, with intent to commit an infamous crime.

GUILTY.—Confined Two Years.

1549. WILLIAM ANTROBUS and JAMES BEAGARIE were indicted for conspiracy.

MR. PHILLIPS conducted the Prosecution.

WILLIAM SHAW MAYES. In January, 1839, the prisoner Antrobus employed me as a carpenter to fit up a coffee-shop—I was to have some money on account when I had done 20*l.* worth of work—my bill was 50*l.*—I asked Antrobus for money—he had promised me 15*l.*, but I said I must have 20*l.*—he at last brought me a bill for 40*l.* odd—this is it—(*looking at it*)—it is accepted by the defendant Beagarie—I said to Antrobus, “You must let me know who and what Beagarie is before I can discount the bill”—he said, “I can refer you to Mr. Faulkner that he is a respectable man”—I said, “That won’t do, I must know that he is responsible”—I went to Mr. Faulkner’s office, and saw a person representing himself to be a clerk to Mr. Faulkner—I believe Beagarie to be the man—he said Mr. Faulkner was not within, but he could answer for him; he knew Mr. Faulkner knew Beagarie to be a respectable man—I said, “Is he a responsible man for 50*l.*?”—he said, “I believe him to be so,” and said something about a suit in Chancery by which he was entitled to some money—I was not satisfied—Antrobus called on me again—I said I had been to Mr. Faulkner’s office, but could not see him, and could not take what I heard from his clerk, I must have it from the principal, if not in words, I must have it in writing—Antrobus then left me, and brought me this letter—(*looking at it*)—I made a memorandum on the letter, and Antrobus signed it—this is it: “Witness to the above alteration. W. A.”—I then advanced the money to Antrobus—when the bill became due it was dishonoured—I went to Mr. Faulkner’s office, and made a communication to Mr. Faulkner—if the words “and responsible” had been left out of the letter I should not have advanced the money.

Beagarie. Q. Will you swear I am the person you saw at Mr. Faulkner’s? *A.* To the best of my belief you are—I judge by your voice and your

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person, you are very much like him—I made application to the Insolvent Court in January—my name was not inserted in your schedule till then—I claimed to have it inserted as a creditor—you were sent back for twenty-one days to serve me with notice—if 20s. in the pound is paid out of your estate, I expect to receive it, but you have not taken the benefit of the act.

FERDINAND FAULKNER. I am a solicitor, and live in Staple's Inn, Holborn. On the 31st of January, between one and two o'clock, (I think,) the two defendants came to me at Westminster, and both saw me together—Beagarie said a person living in Orange-street was going to lend him a sum of money, and they had requested a note from a respectable person to say that he was a respectable man himself, and pressed me to give him a note to that effect—I wrote the note, and, after reading it, he wished me to put in the word "responsible"—I objected to do so, and did not do it—this is the letter I wrote—the words "and responsible" have been added since—I did not write them—the rest is mine, except the memorandum—I gave him the note, and they went away—the prosecutor and his solicitor afterwards called on me, and showed me the letter—Beagarie had said the person proposed to lend him 15*l.* or 20*l.*—he said nothing about a bill of 40*l.* odd—I had no clerk at that time.

Beagarie. Q. Did not I give the letter in your presence to Antrobus? A. No; you took it away.

JENKINS. I am a licensed victualler. I know Beagarie—I have received a great many letters from him, and seen him write many times—I believe this memorandum to be his hand-writing—(*read*)—"Memorandum. London, 31 Jan. 1839. I have this day received the sum of 10*l.* from Mr. Antrobus, being the amount of my portion, as agreed, of a bill of exchange accepted by me for 48*l.* 17*l.* J. BEAGARIE." I do not know whose hand-writing the words "and responsible," in this letter, are.

[*The letter being read, was as follows:—"Sir, I have known Mr. J. Beagarie, and believe him to be a respectable and responsible man. F. FAULKNER."*]

ANTROBUS—GUILTY.—Confined One Day.

BEAGARIE—GUILTY.—Confined Six Months.

1550. **JOSEPH WESTLEY** was indicted for embezzling and stealing, on the 7th of February, 4*l.* 18*s.* 6*d.*, and 1*l.* 2*s.* 3*d.*; and, on the 14th of February, 2*l.* 4*s.* 6*d.*: also for embezzling other sums, on the 29th of February and the 23rd of May, which he had received on account of William Morris, his master; to all of which he pleaded

GUILTY. Aged 42.—*Recommended to mercy.*—Confined One Year.

1551. **THOMAS HUTTON, WILLIAM TACK, and STEPHEN AUSTIN,** were indicted for stealing, on the 9th of May, 209*lbs.* weight of veal, value 3*l.* 18*s.*; the carcasses of two pigs, value 2*l.* 16*s.*; 3 calves' heads, value 3*s.*; 7 yards of linen cloth, value 4*s.*; and 1 hamper, value 6*s.*; the goods of Henry Osmond.—2nd COUNT, stating them to be the goods of George Dawes.

MR. CLARKSON conducted the Prosecution.

HENRY OSMOND. I am a butcher, and live near Sturminster Newton, in Dorsetshire. I am in the habit of sending up meat for sale to Mr. Dowding, of Newgate-market—on the 7th of May I sent two hampers of meat up—one was lost—it contained five sides of veal, 2 pigs with

their heads on, and three calves' heads—I always place the cauls of the calves in the kidneys—I did so on that occasion—that is the usual course with butchers in our county—we always do it—the largest pig weighed ten stone four pounds, and the smallest seven stone four pounds—a cloth was wrapped round each side of veal, and a cloth round each pig—that would make seven cloths—I sent the hampers up by the Southampton railway—Dawes, the wagoner, contracts to bring them to London for me.

Cross-examined by MR. PHILLIPS. Q. Who did you deliver these things to? A. Mr. Crouch, a tradesman at Sloughton, three miles from me—he sends to London the same as I do—I left them in his care, and he sent them—I saw them go away from his yard in a caravan—one of his carters drove it—a great quantity of provisions comes from our county by the railroad—a great deal of meat is sent—I directed the hampers to Mr. Dowding—I had no mark on the veal or pigs—I could not have sworn to them myself if I had seen them in Newgate-market—there are a great many butchers in our part, and they all send the meat up in the same way—hundreds and thousands of sides of veal come up with the cauls in the kidneys—Mr. Dawes's name was on the cloths—I had no mark on them myself.

MR. CLARKSON. Q. Have you ever been able to find them since? A. No—the hampers were Dawes's as well.

GEORGE MORGAN. I am clerk to Mr. Dibdin, of Gerard's-hall, Basinghall-lane—he is agent to Dawes, the wagoner. On Saturday, the 9th of May, about seven o'clock in the morning, I was attending the unloading of one of Dawes's wagons at Newgate-market—there were some hampers in it with directions on them, and one without a direction—I helped to throw that one out of the wagon on to the ground near Blake's stand—two of Mr. Robinson's men assisted me—in consequence of there being no direction on it, it was opened, to see if there was any note inside—I saw some sides of veal in it, I cannot say how many, two pigs, and three calves' heads—I know Austin—he was employed that morning in pitching from that wagon—I left the hamper at the side of Blake's stand, not knowing who it belonged to—I had some weigh-bills to make out, and another wagon was coming in.

Cross-examined by MR. PHILLIPS. Q. Does Dawes send a great many wagons to town? A. Three a week—some journeys more hampers come than at others—I have known as many as thirty or forty come at one time, and sometimes not above one—all the meat that comes is enclosed in cloths—a great number of Dawes's cloths come to town every week—I do not know what Hutton is—I believe he has been a porter.

Cross-examined by MR. BODKIN. Q. Did you know Austin before? A. Yes—he worked at Gerard's-hall with us for some time.

MR. CLARKSON. Q. Then he would know the course of your business? A. Yes—the meat was brought from the railway at Vauxhall in three wagons, on the 9th of May—there was no complaint of the loss of more than one hamper on that occasion—it was about twenty minutes past seven o'clock when I pitched the hamper—I fastened it down again after opening it.

JOHN WILLIAMS. I am in the employ of Mr. Larner, a meat salesman in Newgate-market. On Saturday morning, the 9th of May, about half-past seven o'clock, I saw a hamper lying by Blake's stand—I know Hutton and Austin by sight—I saw them that morning—they had a truck

with them—I saw Hutton help Austin with the hamper off the street by Blake's stand on to the truck—Austin then drew the truck, and Hutton pushed behind—they went round the corner of Warwick-square, and I saw no more of them—I did not see any third man—I saw Austin about half an hour after—they went in a direction towards Simmonds's.

Cross-examined by Mr. PHILLIPS. Q. Was it not Austin that had the truck? A. Yes—Hutton helped him to put the hamper on—I did not hear them speak to each other—I was not near enough to hear them—I saw a knuckle of veal and the leg of a pig hanging out of the hamper—it was a knuckle of veal I saw.

Q. Recollect what you have said before—did you not see some knuckles of veal hanging out? A. I saw a knuckle of veal—well, I saw some knuckles of veal hanging out—I saw more than one, I cannot say how many—I will say two—I will not swear I did not see four—they were quite plain to be seen—not covered up—they were hanging out at the corner of the hamper—I could see no cloths at all—the hamper was tied down.

Cross-examined by Mr. BODKIN. Q. Was the business of the market going on? A. Most of the business was over—there were not many persons about—I saw no one near the truck but Austin and Hutton—other persons might have seen the truck as well as me—Austin had hold of the truck with both his hands—Hutton was walking along by the side—it stopped by the side of the pavement while they raised the hamper on one end, and put it on the truck—if Austin had given Hutton any directions I should not have heard it—I was within ten or fifteen yards of them—I saw no one between me and the truck—I saw a good many persons with trucks that morning.

JOSEPH WELLS. I am in the employ of Mr. Simmonds, a meat salesman, in White Hart-street, Newgate-market, two or three hundred yards from Blake's stand. On Saturday morning, the 9th of May, about half-past seven o'clock, or between that and eight o'clock, Hutton came to our place, and said there was a hamper of meat coming, and about five minutes after, he and Tack came with packs on their backs, not with a hamper—the meat was packed in cloths—they pitched it at the door—after all the meat was unpacked from the cloths, I looked over it—there were five sides of veal, two pigs with their heads on, and three calves' heads—Hutton came for the cloths some time after, and I gave him the seven cloths that the meat was packed in—he at first claimed six sides of veal, but there were but five—Tack was with him when he came for the cloths, and they went away together.

Cross-examined by Mr. PHILLIPS. Q. Who did you give the cloths to? A. Hutton—I have been examined before—I am sure I gave them to Hutton—he and Tack were together—I do not think I ever said I gave them to Tack, but I cannot swear now which I gave them to—I never mentioned about the seven cloths before to-day.

Cross-examined by Mr. ROE. Q. Was there more meat brought than one man could carry? A. There was, decidedly.

FREDERICK FIRMAN. I am a butcher, and live in Raven-street, Mile-end-road. I sell meat sometimes at Mr. Simmonds's stand. On Saturday morning, the 9th of May, about seven or eight o'clock, I saw all the three prisoners—all three of them had packs on their backs—I could not tell what it was—it was wrapped up in cloths—Hutton called out for Mr. Sim-

monds—I asked who that was for—he said, “For Simmonds,” and asked where he should put it—I said, “Down against the door”—two of them (I am not able to say which) pitched their packs against the door, and one in the shop—I asked Hutton where it came from—he said, from a man named Smith, and that it came by Smith’s wagon, from the Rose Inn, Smithfield—the other two were by at the time—I called Mr. Simmonds’s attention to the mode in which the veal was dressed, the caul being stuffed in under the kidneys, which is not usual—there were five sides of veal, two pigs, and three calves’ heads, which Tack brought in his hand.

Cross-examined by MR. PHILLIPS. Q. Was the veal all tied up in cloths? A. Yes—I could not see what it was till it was undone—I did not notice any thing hanging out—the pigs were packed up the same—no part of them was visible—I saw no part of the veal or pigs till they were unpacked, but I did not take particular notice.

Q. You first said the caul was stuffed in the kidneys, and then under? A. It is all the same—it was in the fat of the kidneys, which we call the kidney.

JOSEPH SIMMONDS. I am a meat salesman, and live in White Hart-street, Newgate-market. On Saturday morning, the 9th of May, Austin came to my shop, about half-past seven o’clock—that was the first time I saw him—he brought some meat with him, packed in cloths—I was standing outside the shop when it was pitched on the pavement at the door—about ten minutes after, Austin came again, and asked me to pay the pitching of the meat—I asked him his demand—he said, “6d., I suppose”—I paid him, and he then went away—about half-past nine o’clock Hutton came, and inquired whether the meat was sold—I told him it was not all sold—he then went away—he came again about two o’clock, and Tack with him—he then bought a pig at 5d. a pound—it weighed 10 stone 7lbs., and came to 1l. 16s. 3d.—he did not pay for it, but directed it to be taken off the money for the meat, and he would call for the balance on the Monday—the pig was entire, and Wells chopped it down for him—Hutton took his half away in his apron, and Tack had his half cut up in pieces.

Cross-examined by MR. PHILLIPS. Q. Who generally pays for the pitching? A. It is paid by the salesman, and deducted from the account of meat—the person that owns the meat is entitled to the pitching—it is different at different inns—at our place, it goes to the carrier or the inn-keeper—I cannot say how much meat Austin brought—it was wrapped in cloths—it had the appearance of veal, but I did not open the cloths—Hutton came to me afterwards, and said he came to be paid for the meat which was left there in the morning—he did not say which his master had left—I did not see Hutton come with the meat in the morning—I asked my father whether he knew Hutton—he said he had known him about twenty years, and I then let him have the meat.

Cross-examined by MR. ROE. Q. Did Tack buy this pig of you? A. No—he took away a side—a whole pig was divided into two—one side was cut into joints—Hutton carried that away, and Tack the other.

THOMAS HERDSFIELD. I am an officer of the City of London. On the afternoon in question, a little before three o’clock, I saw Hutton and Tack in Newgate-market—they had a side of pork each, and, in consequence of suspicion, I stopped them.

Cross-examined by MR. PHILLIPS. Q. And charged them with stealing a hamper of meat? A. I did, and they denied it.

WILLIAM SALES. I come from the Rose Inn, Smithfield. A good many hampers came there on Saturday morning, the 7th of May, but none from a person named Smith, by Smith's wagon.

Cross-examined by MR. PHILLIPS. Q. How many men are there to take in the meat at the Rose Inn? A. Six altogether, on a Saturday—I could not name all the persons that sent meat that Saturday—Smith is not a common name—I cannot swear that many persons named Smith send meat to the Rose Inn—the five other men received things that came by the wagon as well as me—three carriers came to my master's that day—I cannot tell the names of the persons who sent goods by them—there may have been a person named Smith who sent things by these carriers.

MR. CLARKSON. Q. Did any wagon come up from Smith on Saturday the 9th of May at all? A. No—we had one come in on Friday the 8th.

BENJAMIN DOWDING. I am in the habit of transacting business for Mr. Osmond, and sell his meat most weeks. On Saturday, the 9th of May, I expected two hampers of meat, and one flat of offal—I only received one hamper and one flat of offal—I have no memorandum with me of the contents of the hamper which I did not receive—I had received a letter, but I cannot find it—I have looked for it, but I suppose it is mislaid, if Mr. Humphreys has not got it—he asked me for it a few days ago, and I told him if he had not got it I had lost it—I am not certain whether or not I put it on my file—I looked there, but could not find it—I searched in my desk and everywhere—I was told in the letter that I was to receive five sides of veal, two pigs, and three calves' heads—that is what I expected to receive.

Cross-examined by MR. PHILLIPS. Q. How do you remember that? A. By reading the letter—I dare say there were other things in it—he hoped I should make a good sale of his meat—I am in the habit of receiving a good deal of meat from Dorsetshire by the railroad, but I never saw any meat from that county dressed like Osmond dressed his—(*looking at a letter*)—this is a letter I received from Osmond, but not the one which I cannot find.

GEORGE MORGAN *re-examined.* I helped to pitch several hampers off the wagon—it was the one without the direction that was taken to Blake's stand—Austin was employed at the wagon generally—he was not there at the time the hamper was thrown off.

HUTTON—GUILTY. Aged 48.	} Transported for Seven Years.
TACK—GUILTY. Aged 41.	
AUSTIN—NOT GUILTY.	

NEW COURT.—*Monday, June the 15th, 1840.*

Fifth Jury, before Mr. Sergeant Arabin.

1552. JOHN HOLMES was indicted for stealing, on the 12th of May, 8 half-crowns, 60 shillings, and 20 sixpences, the goods of Solomon Joseph, his master; to which he pleaded

GUILTY. Aged 19.—Confined Three Months.

1553. SARAH HOLLAND was indicted for stealing, on the 13th of May, 1 coat, value 2*l.* 10*s.*; 1 pair of trowsers, value 5*s.*; and 1 gown, value 6*s.*; the goods of Samuel Genese, her master; to which she pleaded GUILTY. Aged 21.—Confined Three Months.

1554. CHARLES PORTSMOUTH was indicted for stealing, on the 31st of May, 1 peck of cinders, value 4*d.*, the goods of William Heron and another, his masters.

GEORGE FELTHAM. I am a police inspector. On Sunday, the 31st of May, at half-past nine o'clock, I fell in with the prisoner in Fondling-lane, between West Drayton and Hillingdon, about a quarter of a mile from the prosecutor's—he was carrying this bag, covered with his coat—I asked what he had in the bag—he said, "Not much"—I found it was breeze—I said, "You have been stealing this, who do you work for?"—he said, "Mr. Heron"—I said, "I shall take you into custody"—he said, "I hope not, it is the first time I ever took any."

JOSEPH THORNTON. I am foreman to Mr. William Heron and another. The prisoner has been at work for them from March—we have such breeze as this.

GUILTY. Aged 28.—*Recommended to mercy.*—Confined One Month.

1555. THOMAS BAKER was indicted for stealing, on the 9th of June, 1 watch, value 20*s.*; 1 chain, value 8*d.*; 2 seals, value 6*d.*; and 2 watch-keys, value 1*s.*; the goods of Thomas Hockett, from his person.

THOMAS HOCKETT. I am a gravel digger. I was at work at Enfield-Highway—the prisoner and a brother of his were there at work—at dinner time, on the 9th of June, I fell asleep for about half-an-hour, when I awoke the prisoner was gone, and my watch from my fob—the constable next day gave it to me—this is it—(*looking at a watch.*)

JOHN TYLER. I was at work in the same pit—the prosecutor went to sleep—I was a little dozy myself—I saw the prisoner with a stick touch the prosecutor close to his side where the watch was—he went away—I thought nothing of it.

THOMAS JACQUES (*police-constable N 333.*) About two o'clock the prosecutor told me of the loss of his watch—I received information from Tyler, and took the prisoner the same evening—he denied it—a person after that came and told me that the prisoner wanted to see me—I went and asked him if he was inclined to tell me or show me where the watch was—he said, "Don't let us go till it is dark"—at dark he took me to a gravel-pit where the robbery was committed, and then went across the fields to the hedge—he pulled it out and gave it to me.

GUILTY. Aged 18.—Confined Six Months.

1556. BENJAMIN BOWELL was indicted for stealing, on the 15th of May, 1 pair of boots, value 5*s.*, and 1 pair of shoes, value 5*s.*; the goods of Benjamin Webb.

BENJAMIN WEBB. I am a wheelwright, and live on Addle Hill, Doctors' Commons. I missed these boots and shoes (*examining them*) on Sunday morning, the 17th of May, from a room adjoining my counting-house, which is up stairs from the yard—the prisoner has known my premises all his life.

ALEXANDER WILSON. I am a shoemaker, and live in Holborn-hill. On the 16th of May the prisoner came about eight o'clock in the morning, and offered this pair of shoes for sale, which I bought of him for 2s.—in about ten minutes he brought these boots, which I bought of him for 3s.—coming again so soon, I asked where he lived—he said in Robin Hood-court, Shoe-lane—the shoes and boots were inquired for on the Monday, and I stated that I had them.

WILLIAM BUTLER (*City police-constable, No. 307.*) I took the prisoner on this charge, on the 18th of May—he was lying on the floor—his brother gave him in charge—I told him he had placed himself in a very serious situation—I asked him about the boots and shoes—he said he took them, and sold them at Mr. Wilson's, in Holborn-hill, for 5s.

Prisoner. I am not guilty.

(The prisoner received a good character.)

GUILTY. Aged 39.—Confined Six Months.

(There was another indictment against him.)

1557. GEORGE SMITH was indicted for stealing, on the 6th of June, 60 yards of linen cloth, value 2*l.*, the goods of Henry Sharpe.

JAMES BLACKMAN. I am in the service of Henry Sharpe, a draper in Aldermanbury. About half-past ten o'clock in the morning of the 6th of June, I left a lad in the warehouse, and went down stairs—when I returned, I saw the prisoner going out with these two pieces of linen—he was quite a stranger, and had no right there—I followed, and saw him in Fountain-court—I ran and collared him, and took him back to the warehouse—he is the same person that I had seen step out—he had these two pieces of black Irish linen—one is thirty-one yards, and the other twenty-eight yards.

THOMAS DOWLING (*City police-constable, No. 470.*) I took the prisoner, and have the property.

Prisoner's Defence. I was going through the City, and a man asked me to carry it.

GUILTY. Aged 18.—Transported for Seven Years. (*See Old Court, Wednesday.*)

1558. WILLIAM BARKER was indicted for stealing, on the 21st of May, 6 bed sackings, value 12*s.*, the goods of Charles Dagnall.

JOHN FARMER. I am carman to Mr. Charles Dagnall, a rope and sack-ing manufacturer. On the 21st of May, I was in Cripplegate with the cart about four o'clock in the afternoon—I went into Mr. Clark's, a worsted dyer, for about four minutes—as I came out a boy said, "There is a man in your cart with a white smock-frock on, taking something"—I ran to the top of Moor-lane, and saw the prisoner with a parcel in a bag—I said, "They are my sackings"—he said, "No, they are not"—I caught him—he threw them down, and got away—I took up the sackings and *sung out*, "Police"—a policeman came and took him instantly—these are my master's sackings—they were in the prisoner's bag—he said some man round the corner gave them to him.

JOHN STAINS (*City police-constable, No. 152.*) I heard the cry of "Stop thief"—I went to the end of White's-court, and the prisoner was taking off this smock-frock—he saw me, and dropped it, I ran and took him and the frock—he threw his hat off—he said a person gave him the sackings to carry to a court, but he refused to say where it was.

Prisoner's Defence. William Brown gave them to me to take for him.

GUILTY.* Aged 21.—Transported for Seven Years.

1559. MICHAEL O'DAY was indicted for stealing, on the 20th of May, 1 spade, value 3s., the goods of Thomas Carpenter.

THOMAS CARPENTER. I am a labourer. I was working at the Cemetery in Kensington, on the 20th of May, I used my spade before breakfast—when I came back it was gone—I saw the prisoner in the Catacombs when I went to breakfast—I do not know whether he worked there—next day I saw Dyer working with it—this is my spade—(*looking at one*)—I have several marks on it.

EDWARD DYER. I am a labourer. The prisoner came to my lodging with this spade, and said he had bought it for 6d., that he had been working with it, but he had no more work—I said, “What will you do with the spade?”—he said, “Sell it, or pawn it,” and I gave him 6d. for it.

ROBERT WOODYER (*police-constable V 54.*) I took the prisoner in charge.

Prisoner's Defence. I bought it for 6d. the day before, and then I came to London, and sold it to this boy.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Six Days.

1560. STEPHEN EATON was indicted for stealing, on the 16th of May, 3 napkins, value 8d., the goods of Joseph Shepherd.

ELIZABETH SHEPHERD. I am the wife of Joseph Shepherd, and keep a broker's shop in Weir's-passage, Somers-town. I saw the prisoner and two others pass the door—the napkins were hanging on the door, and in a short time after they were missing—I went out, and saw the prisoner with them in his hand in Winstead-street—he was showing them to two other boys—I caught hold of him, the other two ran off—I struggled with the prisoner about a minute, and then he got from me, but was taken immediately—he said he had them thrown at him.

JOSEPH WILLIAMS. I am a police-constable. I took the prisoner.

Prisoner's Defence. I was looking at a parcel of people, and these were chucked on my shoulder.

GUILTY. Aged 18.—Confined One Month.

1561. WILLIAM SMITH was indicted for stealing, on the 1st of June, 1 handkerchief, value 2s. 6d., the goods of William Lloyd Birkbeck, from his person.

WILLIAM LLOYD BIRKBECK. I was walking along Holborn, between twelve and one o'clock at night, on the 1st of June—I felt some one touch my pocket—I turned round, and saw the prisoner walking away—I missed my handkerchief—I followed and stopped him—he gave up the handkerchief, and surrendered—I called a policeman, he then struggled, and endeavoured to get away—he drew the handkerchief from his breast pocket, and gave it me—one of my pockets was torn down—it is probable that the handkerchief might have dropped out—this is it—(*looking at one.*)

ALGERNON ATTWOOD. I was walking up Holborn with the prosecutor, he turned and ran back about twelve yards—I turned and saw him speaking to the prisoner—I saw the prisoner take this handkerchief out of his breast, and give it back—we took him—he then said it was through distress, and struggled violently to get away—we kept him till the officer took him.

Prisoner's Defence. I picked it up.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Three Months.

1562. THOMAS WALKER was indicted for stealing, on the 4th of June, 1 stand, value 3s.; 1 glass shade, value 8s.; 8 scent-bottles, value 2l.; and 4 ink-stands, value 9s.; the goods of James Stains.

JOSEPH BOND. I live with James Stains, a china and glass manufacturer, in the Minories. I was opening the shutters, about half-past seven o'clock in the morning of the 4th of June—while I was backwards and forwards I saw the prisoner come in, take the articles stated off the counter, and carry them off—I followed him, and cried "Stop thief!"—he threw them away, and broke some of them.

JAMES STAINS. These are my property.

Prisoner's Defence. I had been out of work four months, and was running to St. Katherine's Dock to get a job, when I was taken.

GUILTY. Aged 22.—Confined Six Months.

1563. THOMAS HAWKINS was indicted for stealing, on the 3rd of June, 1 spoon, value 5s., the goods of John Pullen.

ANN PULLEN. I am the wife of John Pullen, a confectioner, in Fleet-street. On the morning of the 3rd of June the prisoner came in, and took the spoon off the counter—a lady in the shop ran to the door, and said, "Stop thief!"—a gentleman took him, and he dropped the spoon—this is it—(*looking at it.*)

FREDERICK ADAMS. I was going down Chancery-lane—there was a cry of "Stop thief!"—I took the prisoner, and as I was going back to the shop he was working the spoon down his trowsers.

GEORGE WARDLE (*City police-constable, No. 325.*) I saw the prisoner in the custody of Adams—he was working something down his thigh, and presently this spoon came out from his trowsers, in going over a grating—I picked it up, and took him.

GUILTY.* Aged 13.—Transported for Seven Years.

1564. JOHN GREENWOOD was indicted for stealing, on the 29th of May, 1 basket, value 1s. 6d.; 16 bottles, value 4s.; and 16 quarts of wine, value 2l. 4s.; the goods of Stephen Henry Fairn.

WILLIAM BARDWELL. I am a fireman. On the 29th of May I was at the prosecutor's house, where I lodge, between five and six o'clock in the evening I went into the cellar, and heard some one there—I looked, and saw the prisoner bringing a hamper from one end of the cellar to the front, and place it on an ale-barrel, and then on a butt—he then opened the cellar-flap, and put the hamper of wine out on the pavement—I went up, and asked Mrs. Fairn if she had any one at work in the cellar—she said, "No"—I asked her to go out, she did, and I found the basket—the prisoner was still in the cellar—he had not seen me—he was taken when he came up out of the cellar, by the door—I am sure he is the person.

BENJAMIN WOOD (*City police-constable, No. 526.*) I was in Tower-street—Mrs. Fairn sent for me—I went to the house, and took the prisoner in front of the bar—I saw the hamper—it was full of bottles of wine.

STEPHEN HENRY FAIRN. I keep the house. I saw the hamper—I contained sixteen bottles of wine, which were mine—I know the prisoner by his bringing bottles from time to time—he had no business in the cellar—he had forced the staple from the cellar, and knocked it in.

Prisoner. I am not guilty.

GUILTY. Aged 17.—Transported for Seven Years.

(There was another indictment against the prisoner.)

OLD COURT.—Tuesday, June 16th, 1840.

Second Jury, before Mr. Common Sergeant.

1565. EDWARD SMITH was indicted for stealing, on the 1st of June, 1 handkerchief, value 2s., the goods of Francis Pierson, from his person.

FRANCIS PIERSON. I live in Pitt's-place, Southwark. About twelve o'clock, on the 1st of June, I was in Smithfield, looking at the beasts, and my silk handkerchief was drawn out of my pocket—I saw the prisoner close to me, and he had it in his hand—this is it—(*looking at it.*)

THOMAS ISITT. I am a policeman. I received the handkerchief from the prosecutor.

GUILTY.* Aged 16.—Transported for Ten Years.—Convict Ship.

1566. JOSEPH BILLION was indicted for stealing, on the 4th of June, 1 purse, value 5s.; 2 sovereigns, 1 half-sovereign, 1 half-crown, and 4 sixpences; the property of George Orred, from his person.

GEORGE ORRED. I live at Ruberry Park, Hampshire. About half-past three o'clock, on the 4th of June, I was walking up Ludgate-hill—I had seen my purse safe about ten o'clock—I did not miss it till I received information—it contained two sovereigns, a half-sovereign, a half-crown, and four shillings—this is it—(*looking at it.*)

CHARLES MURRAY. I live in Portland-street. On the 4th of June, about half-past three o'clock, I was in an omnibus, going up Ludgate-hill—I saw a man, not the prisoner, take a purse out of the prosecutor's pocket—he crossed the street, and ran away with it—I got out of the omnibus, followed, and caught him, the prisoner came up, and said, "*Jack, hand us the purse,*" or, "*Give me up the purse*"—he gave it to him, and I took it from him—that was about two minutes after I saw the other man take it—I took hold of him immediately after.

Cross-examined by MR. BALLANTINE. Q. You ran after the man that took it? A. Yes—I had watched them about five minutes before the purse was taken, and had seen the prisoner in company with the man who took it—I had seen them together for four or five minutes watching the gentleman, which aroused my suspicion.

JURY. Q. When the prisoner got the purse, did he endeavour to escape? A. No, because I had hold of him—I laid hold of him directly he spoke.

(John Payne, boot-maker, of Whitecross-street, gave the prisoner a good character.)

GUILTY.* Aged 18.—Transported for Ten Years.

1567. WILLIAM SMITH, *alias Watts*, was indicted for stealing, on the 18th of May, 1 copper, value 12s., the goods of John Hatton.

THOMAS UNDERTON. I am a plumber, and live in Old-street-road. On the 18th of May, Mr. John Hatton, who is a neighbour of mine, asked me to let this copper be in my front court, which has rails round it—I saw it put there—I was called down, and missed it that day, and saw the prisoner with it—this is it—(*looking at it.*)

WILLIAM CHARLES WOLLARD. I saw the prisoner take the copper out of the fore-court, and carry it about twenty yards—I followed, and brought him back with it—he said he took it for want.

Prisoner. Q. Did not I wait at the door till the prosecutor came down?
A. Yes.

Prisoner's Defence. I did not have it in my possession when the prosecutor came down, and he said he did not miss it, but a lad called him down, and said I had attempted to take it away.

GUILTY. Aged 29.—Confined Three Months.

1568. WILLIAM CARTER was indicted for stealing, on the 18th of May, 2 shillings, 1 penny, and 2 halfpence, the monies of Richard Pitt, his master.

RICHARD PITT. I am a metal merchant—the prisoner was my errand-boy for two years. On the 18th of May, in consequence of having lost 50*l.* since Christmas, I marked 3 half-crowns, 3 shillings, 3 sixpences, 20 penny-pieces, and 20 halfpence, and placed them in the till about four o'clock in the afternoon—I left the shop for about ten minutes, returned, and missed 2*s.*, 1 penny-piece, and 2 halfpence—I got a policeman, had the prisoner searched, and the 2 shillings were found in his boot, and the copper in his pocket, with my marks on them—these are them—(looking at them.)

Cross-examined by MR. PHILLIPS. Q. How old is he? *A.* About twelve—I took him out of charity—he has got a bad mother—I turned him away for robbing me—I had turned him away previously for insolence—I took him back from the solicitations of his family—his sister came to solicit me—I placed confidence in him—I have sent him out with 20*l.* and 30*l.* at a time—I have no shopman—I gave him 3*s.* a week—he lived with his mother.

JOHN LAWRENCE. I am a policeman. I found 2*s.* in the prisoner's right boot, and the copper in his pocket.

(The prisoner received a good character.)

GUILTY. Aged 10.—*Strongly recommended to mercy.*—Confined Three Days.

1569. JANE COLLIER was indicted for stealing, on the 16th of May, 1 sovereign, and 2 half-crowns, the monies of Robert Pizzala, from his person.

ROBERT PIZZALA. I live in Kirby-street, Hatton-garden. About twelve or one o'clock on the night of the 16th of May I met the prisoner in Amwell-street, Pentonville—she took hold of my arm, and wanted me to go with her—I refused—she wanted me to treat her—I could not get rid of her—she kept following me, and caught hold of my arm—she had not left me three minutes before I felt in my pocket, and missed a sovereign from my right-hand breeches-pocket, and two half-crowns from my other pocket—I had not felt her hands in my pocket at all—she had kept hustling about me—I was quite sober—I went after her, and accused her of robbing me—she said, “I have robbed you of two half-crowns,” which she gave me back—I said, “You have robbed me of a sovereign as well”—directly I said that, the policeman came up—I gave her in charge, and the sovereign was found on her.

Prisoner. Q. Did not you speak to me, instead of my speaking to you? *A.* No.

Prisoner. He gave me some halfpence and a shilling, as I thought it was, and directly the policeman came up, he said I had robbed him—he said he had given me two half-crowns, but I never had a half-crown in my hand—the halfpence and sovereign he gave me when he wanted me

to go across the road—I never gave him a farthing back at all. *Witness.* I gave her nothing—I had halfpence in my pocket, but I gave her none.

THOMAS HARRINGTON. I am a policeman. I took the prisoner into custody, and told her she was accused of stealing a sovereign—she said she knew nothing about a sovereign, that she had given the prosecutor two half-crowns back, and that was all she had.

CHARLES SCOTCHMER. I am a police-inspector. The prisoner was brought to the station-house—I asked what she had in her hand—she said, “A shilling, some halfpence of my own, and some halfpence the gentleman gave me”—she put them down, and among them I found a sovereign.

Prisoner's Defence. I said it was a shilling and some halfpence the gentleman gave me, I did not know it was a sovereign.

GUILTY.* Aged 40.—Confined Six Months.

1570. ELIZABETH JONES was indicted for stealing, on the 19th of May, 6 sovereigns, the money of John Wakeman, from his person.

JOHN WAKEMAN. I am a tailor, and live in Anchor-street, Haymarket. On the 19th of May I went to a public-house, and had some brandy and water—about one o'clock at night I was coming from Gloucester-place, New-road, and met the prisoner in Mary-le-bone-lane—I had six sovereigns in my waistcoat-pocket, and a £10 note in my trowsers pocket—I missed the six sovereigns—I did not go any where with her to my knowledge—I did not see her take the sovereigns—the policeman came up and found me with her down the mews—I had not given her any thing—I was drunk.

Cross-examined by MR. PRENDERGAST. Q. Did you not say at the police-office, “I did not go into any mews that I know of?” A. No—the policeman saw me in the mews—I do not recollect going there—I did not go into any house I am certain—I had an umbrella—I do not recollect leaving it at any house, and the prisoner going and fetching it—I gave her no money—I might have gone to a house and not remembered it—she told me she had lived at so-and-so, and I thought she was a person I knew, and we got into conversation—I did not say I had got a keepsake for her, nor feel in my pocket for one—I do not recollect going to any public-house with her—before I met her I was drinking with a butler where I had been to receive some money—I parted with him in Gloucester-place, New-road, and after leaving him I went to a beer-house.

COURT. Q. Do you recollect the policeman asking you whether the money was yours, and your saying it was not yours? A. I do not, for to my recollection I said, no, it was not my money—he asked if I had money about me—I said, “Yes,” and presently I found six sovereigns gone—I do not remember picking up a sovereign that had fallen down.

JAMES LEE. I am a dyer. I was passing down Mary-le-bone-lane, and saw the prosecutor very drunk, with the prisoner on the opposite side of the way—hearing money jink, I thought it was not altogether right—the prisoner saw me, and threw down some money on the step of a door, and said, “That is all, there is four”—she took it up again, and she and the prosecutor went round the corner into the mews—I saw a policeman, and told him what I had seen—we went down to them—the policeman asked what they did there, and said to the prisoner, “What money is that you have in your hand?”—she handed out four sovereigns to the

policeman—he took it, and asked the prosecutor whether he had lost any money—he said, “No”—the policeman said, “You have been robbed?”—he felt in his pocket, and said, “Yes, I have”—the prisoner was reluctant to go to the station-house, and so was the prosecutor, and in moving her cloak off going to the station-house, another sovereign dropped out of her hand.

Cross-examined. Q. Are you quite sure it did not drop from him? A. Yes—he was not near her—they were not many yards apart—as they were going to the station-house one sovereign dropped from her hand, and on removing her further, another dropped, as she acknowledged herself—I should say it dropped from her—she said he had dropped them from his pocket, and she had picked up the four—I do not recollect her saying she picked up the other two in the mews—she might have said so at the station-house, but when in the mews she said she had picked up the four she gave the policeman.

JOHN GRAINGER. I am a police-sergeant. In consequence of what Lee said to me I watched for about two minutes, and saw the prisoner feeling about the prosecutor’s breeches pockets—I directly went down to them—she said, “It is all right, policeman, we are fellow-servants together, and live at 19, York place”—I said, “I suspect you have robbed him, what have you in your hand?”—she said, “Four sovereigns,” which I took out of her hand—I turned to the prosecutor, and asked if he had lost any thing?—he said, “No, it is all right, it is not my money”—I said, “Have you any money about you?”—he said, “Yes, 16*l.* odd”—I said, “Feel in your pocket, and see if you have lost any thing”—he said, “Yes, I have not a farthing,” but in his pocket he found a 10*l.* note—the prisoner’s hands were under her cloak—she refused to take her hands out—I was going to take her cloak off, and in moving she dropped a sovereign which I took up—she made a sort of stumble towards the prosecutor, and another sovereign dropped, which Lee picked up.

Cross-examined. Q. Did she stumble twice or once? A. I do not feel positive—she did not fall against the prosecutor, but stumbled towards him—I think she said she had picked up the two sovereigns in the mews—she did not tell me she had picked up the first four—I said, “What have you here?”—she said, “Four sovereigns” and gave them to me—the 10*l.* note was in his trowsers pocket among some loose papers—he was not very drunk—he became collected, and was able to sign the charge.

NOT GUILTY.

1571. JAMES SELL was indicted for stealing, on the 20th of May, 1 handkerchief, value 2*s.*, the goods of a man whose name is unknown, from his person.

JAMES SIMMONS. I am porter at the Spread Eagle coach-office, Gracechurch-street. About a quarter-past nine o’clock on the evening of the 20th of May, a gentleman came and inquired about the rail-road, and when he had got about twenty yards from the place I saw the prisoner follow him and take his handkerchief out of his pocket—he turned round to go up the market—I caught hold of him and detained him—the gentleman walked on, and I could not get to him—this is the handkerchief the prisoner had in his hand when I took him, and which I saw him draw from the pocket.

Prisoner. Q. How far was I from you? A. I was close behind you.

Prisoner. In coming along Gracechurch-street I saw something lying

down; I took it up; the witness came up; I asked him if it belonged to him; he said no, but he knew who it belonged to; I said I would give it to the owner; he endeavoured to snatch it out of my hand, but could not succeed, and he gave me in charge. *Witness.* He begged me to let him go—I said, “Yes, I will, as soon as I give you in charge”—I could not detain him and the gentleman too, as they went different ways.

THOMAS BRAY. I am a policeman. I received information from Simmons, who had the prisoner in custody—the prisoner had the handkerchief closed in his hand—there are no marks on it—the gentleman was gone.

GUILTY.* Aged 28.—Confined Six Months.

1572. JOHN SMITH and GEORGE PICKERING were indicted for stealing, on the 16th of May, 1 shilling, the monies of Jane Steel, from her person.

JANE STEEL. I live in Chapel-street, St. George's, with my parents. On Saturday night, the 16th of May, I was in Whitechapel-road, looking at a man writing on the pavement—there was a crowd—the policeman asked if I had lost any thing—I took my money out of my pocket, counted it, and missed a shilling, which was safe twenty minutes before.

GEORGE TRUE. I am a policeman. I was on duty about half-past six o'clock in the evening, in private clothes—I know both the prisoners, and thought it right to watch them—I saw them attempt several females' pockets, both of them, especially Pickering—I saw them at last come up to Steel, opposite the London Hospital, and saw Pickering put his hand in her pocket—the other saw me and gave him a nudge—they both came away—I caught hold of them both, and Pickering dropped a shilling—I went to the prosecutrix, and asked if she had lost any thing—she felt, and missed one shilling—while Pickering was trying the different pockets, Smith was standing behind him covering him.

Smith's Defence. I met the other boy at Whitechapel church; he had one shilling, and said he had two shillings when he came out, but had spent one since he was out.

Pickering's Defence. I had three 3 shillings and sixpence in the morning, and was going to buy some paints with the remainder.

SMITH—GUILTY.** Transported for Ten Years.—Convict Ship.

PICKERING—GUILTY. Aged 12. Confined Six Days, and Whipped.

1573. ELIZABETH LEE and WILLIAM WARD were indicted for stealing, on the 27th of May, 4 bottles, value 8d.; 4½ pints of wine, value 10s.; 1½ pint of brandy, value 5s.; 2lbs. of bread, value 4d.; 3lbs. of flour, value 6d.; 7oz. of sugar, value 4d.; 1½lb. of bacon, value 10d.; and 6 eggs, value 6d.; the goods of Thomas Harrison, the master of the said Elizabeth Lee.

THOMAS HARRISON. I am the master of Lee, and live at Manor Cottage, Harrow-road. I kept the Tavistock Hotel, Covent Garden, for thirty years, and was formerly waiter there—the prisoner was my cook at Manor Cottage—Ward was my groom—on Monday morning the 27th of May, the constable came to my house and gave me information, in consequence of which I asked Lee if she had seen any body—I did not speak to her before the officer came—I will not swear I did not tell her she had better tell the truth—I might have said, “Tell the truth, did you give the man the bread and meat?”—I have examined some bottles of wine and brandy,

which are in court—I believe them to be mine—Ward had been discharged about ten days when this happened.

Cross-examined by Mr. ROE. Q. How do you know the wine? A. By the look of it, and the bottles—Ward lived with me about fifteen months, and behaved very well.

ANN HARRISON. I am the daughter of the last witness. I know the brandy corks were marked similar to these—here is a towel which is marked similar to one which I believe to be ours—we have not missed brandy—we have a large stock.

Cross-examined. Q. Does your father ever send brandy from his hotel? A. Not this kind—we do not take care of the old corks.

WILLIAM LIQUORISH (*police-constable G 173.*) About four o'clock on the morning of the 27th of May, I met the prisoner Ward, who had two bundles, one contained a 2lb. loaf, and the rest of the articles produced—I asked what he had in the bundle, he said some pieces of victuals—I asked what was in the other bundle, he said "Some lettuce"—I asked him to let me look at it—he said, "For God Almighty's sake, don't say any thing, or I shall be transported"—I asked where he brought it from, he said, "From Mr. Harrison's, cowman, at Kensall Green"—I had met him about two o'clock that morning going up towards Mr. Harrison's, and he spoke to me—I asked if he did not live with Mr. Harrison, he said not—I said, "I suppose you have been at a *spre*"—he said, "No, I have been at a concert"—when I met him it was about four o'clock—I followed him with the bundle—I went to Mr. Harrison's, and saw him; the servants were called one at a time—Lee was the last that was called in—I was present when she first came into the room—Mr. Harrison made her no promise or threat, nor gave her any hopes of forgiveness if she told any thing—he said, "Have you seen William this morning?"—she said, "Yes, I have"—I said to her, "What time did you see him?"—she said, "About three o'clock this morning"—she said she had given him the things—she denied having given him the eggs, the wine, or the brandy—here is a whole loaf that she said she had given him, and the other things.

ANN HARRISON *re-examined.* The wine and brandy we keep in a larder—there are four bins where it was kept—it was locked—my father keeps the keys in a drawer in the drawing-room, and he keeps the key of the drawer—Ward has been in the drawing-room—I cannot say whether he knew where the key was kept.

Cross-examined. Q. Do the servants sleep in the house, or in a separate building? A. One sleeps in the house, the other sleeps across the yard.

WILLIAM LIQUORISH *re-examined.* Having heard Mr. Harrison kept the key himself, I asked Ward, when I went into his cell, if he had got the key—he said, "No, I have not"—I said, "You must have one somewhere"—he said, "I threw it into the canal just before you came up to me."

LEE—NOT GUILTY.

WARD—GUILTY. Aged 18.—Confined Six Months.

1574. HENRY BEATER and WILLIAM ALFRED ENGLISH were indicted for stealing, on the 6th of May, 9 handkerchiefs, value 18s., of George Stagg and another; and ANN O'BRIEN, for receiving the same, knowing them to be stolen.

WILLIAM ARNOLD. I am in the service of George Stagg and Mr. Hunt. On the 6th of May I missed nine silk handkerchiefs—these are

them—I saw the two male prisoners by the shop that morning, and had seen them for several days before—they came into the shop several times and asked for trifling things, which we did not serve them with—I went with the officer after them, and found the handkerchiefs at a marine-store dealer's shop, kept by O'Brien.

Cross-examined by MR. PHILLIPS. Q. You found her husband at home, I believe? A. He was not within, but he came in afterwards, and I saw him—Thornton, the officer, said he had received information that she had bought two pieces of silk handkerchiefs—she denied it—they were separated when found, but when I lost them they were in pieces—I cannot swear positively to the handkerchiefs, but they are the same pattern, and to the best of my belief they are my master's—there is no private mark on them.

Cross-examined by MR. PAYNE. Q. Do these nine handkerchiefs make two pieces? A. They make three pieces—they are worth 18s.

CHARLES PHILLIPS. I live at No. 18, Stacey-street. On the morning of the 6th of May, I saw the prisoners, Beater and English, in Grafton-street—I knew them—English showed me two pieces of handkerchiefs, they were a kind of red colour like these, quite new—I do not know whether they were in pieces—they were round their persons—he said they had been stealing two pieces of handkerchiefs—he asked me to go with him to sell them—I went to the top of Monmouth-court, to Mrs. O'Brien's shop—I saw Beater and English go into the shop—I did not hear what passed—they came out and said they had sold one piece for 8s., and one piece for 10s.—I am sure that is true—I cannot say whether I had been with them before at this sort of thing.

Cross-examined by MR. PHILLIPS. Q. You forget whether you have been before on such things? A. I did not hear what his lordship said—I know Thornton the policeman by sight—I know him, being a policeman—I have never been on speaking terms with him—I never spoke to him except on this business—I saw him between the 7th and 16th of May, not daily—I saw him once in that interval, that was on a Saturday—I cannot call to mind the date—it was the 15th—I know the archway at the top of Monmouth-street, leading into Monmouth-court—I very often go there—the witness, Thorpe, sometimes goes with me—I was not there at all between the 7th and 16th of May—it is not a place which respectable boys go to—I was a respectable boy once—it is two months ago since I was at work—I am not respectable now—I have been respectable up to fifteen years of age.

Q. How long is it since you got out of the Refuge, under pretence of getting a holiday for a day? A. Two years ago—my mother sent me to the Refuge, because I should not go along with bad boys—I was in prison three months before I went to the Refuge—I was twice in prison—that is all—I had a month on suspicion, and once for stealing knives and forks—Harrison the cutler's name was on them—I was discharged from that after being in custody one day—they could not prove it against me—the knives and forks were found on a man named Scates—my mother keeps me now, as I am out of work—I never spoke to Thornton before I gave him the information—I remember his searching O'Brien's house—Thorpe and I were there together—there were three policemen searching the house—it was on Thursday, the 7th of May—I did not see Thornton on the 8th—I did on the 9th, and spoke to him—I met him and spoke to him—I did not speak to him on this business on the 9th—this was after the robbery—I asked him how

Mr. O'Brien got on, I am sure of that—I had given him the information before the 9th, and on the 9th I asked him how the O'Briens got on—he told me they were remanded; and he also told me that on the 16th he would apply to the Magistrate to remand Mrs. O'Brien, in order that he might obtain us as witnesses—it was me spoke to him on the 9th—I did not see him on the 10th, 11th, or 12th—I saw him before the 16th—about the 10th I saw him—I saw him on the 7th, 9th, and 10th—Thorpe and I did not call out "*b— cads*" when the policemen were searching O'Brien's house, nothing of the kind—I first gave Thornton information on the 7th, and I spoke to him on the 9th and 10th—Thorpe and a lot more boys were with me at O'Brien's door when the policemen were searching the house—we did not say any thing—I have known Thorpe about two years—the archway at the top of Monmouth-street is a receptacle for thieves—I was there almost every day—I did not tell you I was not—I was there every day.

Cross-examined by Mr. PAYNE. Q. What is your real name? A. Charles Phillips. I have gone by that name ever since I was born—I have been three times in custody altogether—I am eighteen years old.

JOHN THORPE. I live at No. 31, Broad-street, St. Giles's. On the 6th of May I was with Phillips in Grafton-street, Beater and English came up and said they had been and stolen some handkerchiefs out of Staggs's shop in Leicester-square, and they were going to sell them at Mr. O'Brien's—they showed them to me in their bosom, they looked like these—they asked me to go round with them—I went as far as the top of the court in Monmouth-street, where O'Brien lives—they went in, I waited till they came out again—I did not see who they saw in the house—when they came out they said they had sold them for a half-sovereign and eight shillings, and I saw a half-sovereign and eight shillings—I believe these to be the handkerchiefs they showed me.

Cross-examined by Mr. PHILLIPS. Q. How old are you? A. Nineteen—I have known Phillips about eight years; I knew him by going to school with him, he is a respectable boy—I have known him intimately for eight years—I know nothing wrong of him myself—I consider him respectable—I consider myself so—it is about eighteen months since I was at the Refuge—I was sent there for disobedience, for doing that I ought not to have done.

Q. What was it you ought not to have done, that you did? A. Why, stealing—I have not been respectable, but I am now—I was in prison six months ago—there has been no charge against me since that, except on suspicion through Mr. O'Brien's friends—that was for some knives; the same knives that Phillips was taken up about—we were both taken together last Saturday I believe—I was accused wrongfully—I was never in custody except on those two occasions—yes, for some cigars once about ten weeks ago, but I was innocent.

Q. Are those the only three times you have been in custody during your life? A. Oh no, not during my life—I cannot tell how often I have been in jail—I have a very fair memory, but that is a thing I do not recollect—I might have been twenty times in jail—it was partly through such people as the O'Briens—I do not bear them any very good will—I know the archway in Monmouth-street—I was there about three weeks ago—there is a public-house on one side and an iron shop on the other—I know Thornton by being in the police, that is all—I have known him about six or eight weeks, not on this business, on other business—I am not one of his regular *cads*—I

have given him information a few times for the sake of justice—I have not told him what I stole myself, not since I have been with him, not since I have known him—he has given us about 3s. since we have been here for dinner—I never had any more from him nor had Phillips, to my knowledge—I was at O'Brien's house when it was searched by the police—I did not say anything to the policemen at the door—I might have spoken about them to the lads about, but never to the constables—I do not recollect what I said—I did not call them "*b— cabs*," nor did any body in my hearing to my recollection—*cad* means a constable in disguise—I do not recollect calling the policeman "*b— cads*"—I won't say I did not say so, I might—I do not recollect whether I did or not—I cannot say how many times I saw Thornton from the 7th till the 16th, three or four, I believe, when I was in company with Phillips—I cannot give the dates—I cannot swear I did not speak to Thornton half-a-dozen times from the 7th to the 16th—Thornton applied to the Magistrate to remand Mrs. O'Brien, that he might produce Phillips and me as witnesses.

STEPHEN THORNTON. I am a policeman. I went to No. 8, Monmouth-court, on the 7th of May, about two o'clock in the day, and saw Mrs. O'Brien there washing—I said I had received information that she had bought two pieces of handkerchiefs the day before—she denied having done so—I then asked if Mr. O'Brien was in—she said, "No"—I said, "What time will he be in?"—she said, "In the course of twenty minutes or half an hour"—he came in at that moment, and I asked him, in her presence, if he had bought any handkerchiefs—he said no, he did not buy such things—I said, "Are you positive?"—he said, yes, if any thing of the sort had been bought it must have been when he was out, for he never bought anything of the sort, what he bought was furniture and metal—I said, "You had better be positive, and look about, for I believe the information I have received is correct"—O'Brien replied, "You can search my place if you like"—I said, "I am come prepared to search your place, I have a warrant to do so; and since you have denied buying any handkerchiefs, I shall search your place"—he then said to his wife, "Have you bought any handkerchiefs?"—she said, "Yes, four"—I said, "Where are they? Produce them"—she hesitated some time, went to the back of the shop, took this basket from the wall, and took these six handkerchiefs from it—I then searched the room, and in a drawer I found three others, and a half one, and several other articles. ¶

Cross-examined by MR. PHILLIPS. Q. You asked whether she had bought two pieces? A. Yes—these are not in pieces—they were separated when she produced them from the basket—I have known the two witnesses about ten days before they gave me this information—I cannot say the exact time—it is not six months—I never paid them for any thing—I gave them 3s., at least the smaller boy (Thorpe), as he said he had nothing to eat; I gave him 2s. on Saturday, and 3s. previous—I gave him 1s. at a time—I gave him the first shilling about a month ago, I think; but I can prove it, for I made an entry in my book—it is not here—the female prisoner was remanded to produce the boys—I do not recollect who asked for the remand—I would not undertake to swear that it was myself, yes, I remember now it was me—I said I could not produce them before, but would have them on the 12th—I knew where to find them—I called at Thorpe's place, where he told me he lived, and he would not come—that was after the prisoners were remanded—I cannot tell the date—I think I produced them on the 16th, but I am not prepared with dates

—they were produced with their own consent—they came forward—I had not given them the 3*s.* before that—I could tell you to a day when I paid the money, if I had my book—I had a great mind to bring it, but I did not think it would be necessary—it did not strike me that my paying money to the witnesses would be suspicious—I did not pay them for their information—they had some trouble in running after me—I think the prisoners had been remanded twice, when I applied for another remand to produce the boys—the female prisoner was first examined on Saturday, the 8th, I believe, and, I think, was remanded till the Saturday following, the 15th, but I will not be positive—I think I had seen the witnesses between the 7th and 16th—I told them to be at Bow-street—I cannot give the date—I think it was after the first examination—I will not be positive whether there was an examination on the 12th—I do not believe I asked the Magistrate to remand the female prisoner, because I did not know where to find the witnesses—I believe I stated to the Magistrate that the boys would not come up, not that I could not find them—if Thorpe has sworn that I did, it is false—I do not recollect saying so—I will not swear I did not say so—I will not undertake to say how often I saw Thorpe between the 7th and 12th—I do not think it was every day—it might be once or twice—I told the Magistrate I believed I could get them up—I believe the Magistrate knew as much of their characters as I did—I made application to the Magistrate to force them to come, the day they really did come up, the day Mrs. O'Brien was committed—I cannot tell how often I saw Phillips between the 7th and 12th—I am not in the habit of paying witnesses—I never did such a thing—I gave them the money, as they said they were in distress and starving—I believed that—I did not know they were thieves at the time—I knew nothing of them till about ten days before, when they came and gave me information of a robbery which was likely to take place at No. 8, Newman-street, Oxford-street, and two out of three of the parties were apprehended the following morning, over Waterloo-bridge, and the other was apprehended for robbing a tailor's shop in Rochester-row—I had no notion of the witnesses' character.

Q. You would not have given them the money, if you had? A. I do not know as to that, they had a good deal of trouble in coming after me—I do not think paying them 1*s.* at a time would be paying them for information they might give me—I considered both the trouble they had, and the distress they were in—I first heard they were thieves at Bow-street, at the second or third examination—I would not undertake to swear when it was—I gave them a shilling apiece yesterday, in the prosecutor's presence, as they said they had had no dinner, and they asked me for something to eat—I had given money to Thorpe on a former occasion—after I got the handkerchiefs I went again to O'Brien's house in plain clothes, with another officer in disguise—I believe Thorpe and Phillips were outside the door on that occasion, but I did not see them—I heard them outside—I believe they were outside—I did not hear them call us *cads*—I believe that is a term thieves use for men in plain clothes—I swear I did not hear them call us *cads*—I do not know whether any one did—there were two or three hundred persons in the court—the expression "*b——cads*" might have been made use of—I will not swear I did not hear it—I took 7*lbs.* weight of lead, a ladle, and a letter out of O'Brien's house that night—nothing else that I recollect—what was taken was entered in the sheet—some money was taken on a previous occasion—that has been returned to

him—it was about 5*l*.—this is the list of the property which was taken away—(*producing it*)—he has had a portion of them back—I believe all this was taken in the first instance—(*the list contained a great number of articles*)—all these things were taken on the first occasion—on the second occasion we only took 70*lbs*. weight of lead, and a ladle, such as plumbers use—I took all these things, because in searching the house I found other articles, which were identified, and they were hid in rags—I did not know that I might not find an owner for all the things—they were buried—I told the Magistrate so—I have no doubt it was taken down—this bone lucifer-box was identified by Mr. Hallett, of Holborn—I should say I did not take 100*l*. worth of property out of the house, but I am no judge of the different value of articles.

NOT GUILTY.

NEW COURT.—*Tuesday, June 16th, 1840.*

Sixth Jury, before Mr. Sergeant Arabin.

1575. CHARLES FULLER was indicted for stealing, on the 19th of May, 4 doyleys, value 2*s*., the goods of Beal French; to which he pleaded

GUILTY.* Aged 14.—Transported for Seven Years.

1576. THOMAS WORKMAN was indicted for stealing, on the 12th of November, 6 spoons, value 3*l*.:—also, on the 17th of December, 4 forks, value 4*l*.; 6 spoons, value 2*l*.; 1 pair of breeches, value 30*s*.; and 1 umbrella, value 7*s*.:—also, on the 11th of December, 18 spoons, value 10*l*.; and 6 forks, value 4*l*.; the goods of John Allnutt the younger, his master; to which he pleaded

GUILTY. Aged 26.—Transported for Fourteen Years.

1577. CHARLES CAMPBELL was indicted for stealing, on the 30th of January, 71 yards of satin, value 15*l*. 15*s*.; 13 yards of velvet, value 5*l*. 8*s*.; and 49 yards of satin, value 12*l*. 8*s*.; the goods of John Dixon, his master; to which he pleaded

GUILTY. Aged 39.—Transported for Seven Years.

1578. JOSEPH HENRY MASSON was indicted for stealing, on the 15th of February, 2 composing sticks, value 5*s*., the goods of James Henry Paul, his master.

JAMES HENRY PAUL. I am a printer, and live in Monmouth-court. The prisoner was a compositor—he came to live with me about three weeks after Christmas, and in Easter week I found the petty cash-box broken open—there were fifteen or sixteen persons on the premises, and who to suspect I did not know—I did not suspect him—he charged other persons with it—I then went to look after my property, and missed seven composing sticks out of fifteen—the prisoner having absconded from my service, I went after him, and met a person who told me where he had gone to work—I went and found him—he denied it, but I went up stairs, and found the duplicates of the two composing sticks—I went with the officer, and found these two sticks, which I can swear to as being mine—he had no right to have them.

Prisoner. Q. Can you swear to that large stick? A. Yes, and can prove who I bought it of—I can swear to the other stick, because it was

my brother's—after I went up stairs and found some of my property on the prisoner, he said he had taken them and pawned them.

JAMES HAY. I am assistant to Mr. Walker, a pawnbroker, in High Holborn. This stick was pledged for 2s. 6d. in February, and this in April, by the prisoner.

Prisoner's Defence. I did not receive my money on the Saturday night, and I pledged one with intent to redeem it—I never charged any one about the cash-box, but did my best to find out who it was.

(The prisoner received a good character.)

GUILTY. Aged 24.—Confined Three Months.

1579. **EDWARD BEAMOND** was indicted for stealing, on the 5th of June, 35 yards of ribbon, value 13s., the goods of John Brown Heeles and another, his masters; to which he pleaded

GUILTY.—*Recommended to mercy.*—Confined Nine Months.

1580. **JOHN COONE** was indicted for stealing, on the 19th of May, 19 yards of carpet, value 14s.; the goods of John Naylor.

WILLIAM ADKINS. About five o'clock in the afternoon of the 9th of May, I saw the prisoner come away from the step of Mr. Naylor's door, in Titchfield-street, with a piece of carpet in front of him, he was putting his apron over it—the carpet has not been found—it was streaked with red—he walked quite slowly off the step, I thought it a slovenly way of taking goods out, it did not strike me it was a robbery, but it did afterwards, and I went to Mr. Naylor, and called to him—he did not hear me at first, and the prisoner got off—on the Thursday following, I saw him in custody, and knew him to be the same person—the officer brought in two prisoners—and I knew this prisoner directly—he was taken from my description.

Prisoner. Q. Why did you not take me? A. I did not know but that you were the shop-boy.

JOHN NAYLOR. The carpet was mine—Adkins called my attention to it—there were nineteen yards of it—there was a good deal of red in it, and some green, and some yellow—it was worth 14s.—Adkins described the lad who took it, and the prisoner answers his description.

STEPHEN THORNTON (*police-sergeant E 4.*) I heard a description of the prisoner, and took him in Duke-street, Grosvenor-square.

GUILTY.* Aged 19.—Transported for Seven Years.

1581. **JOHN DONOHUE** was indicted for stealing, on the 21st of May, 1 £5 promissory note, the property of John Gibbons.

JOHN GIBBONS. I am a carpenter, and have a little land. I brought up a load of hay on the 21st of May, and sold it to Mr. Bailey, of the George the Fourth public-house, on Hounslow Heath—he paid me a £5 country note, and a sovereign—the prisoner was present at the time—I put the sovereign in my purse, and the note I think dropped down, inside my round frock on the floor, as I went to put into my pocket—I did not miss it till I got a good part of the way home, two or three hours afterwards—I went back early the next morning, and found the prisoner there—I asked him about the note—he denied it, and abused me.

JOHN BAILEY. I paid the prosecutor a £5 note, and a sovereign—the prisoner was there, and no one else—I had taken the note of a gentleman the day before—I believe this to be the note—(*looking at one.*)

EDWARD WHITE. I keep a grocer's shop at Hounslow. I produce this £5 note—I got it from the prisoner on the 21st of May—I gave him five sovereigns for it—I asked him how he came by it—he said it was his master's—he was then working for one Springhall—I have known the prisoner upwards of two years—he bore a good character.

HENRY GRAFTON (*police-constable T 162.*) The prisoner was given in my charge on the 22nd of May—he denied all knowledge of the note, and abused the prosecutor and me too.

(*The prisoner put in a written defence, stating that he had found the note, and contending that it had not been sufficiently identified.*)

GUILTY. Aged 43.—Confined Six Months.

1582. JAMES WRIGHT was indicted for stealing, on the 21st of May, 1 bag, value 2d., and 5lbs. weight of eels, value 6d.; the goods of James Seymour.

MICHAEL HIGGINS. On the 21st of May I was at St. Mary-at-Hill, and saw the prisoner standing still—I walked on, and returned soon after, and saw him by a barrow taking out a bag of eels from a basket in the barrow—he walked down the hill—I followed and gave him in charge.

JAMES SEYMOUR. I am a fish-hawker. These eels were mine—I was in the market, but had left them in the barrow—I missed 5lbs. weight of them—they were in a basket, and one basket on the top of that—this is the bag (*looking at a bag.*)

Prisoner's Defence. I did not take them—I picked them up in the road—I did not see any barrow.

GUILTY. Aged 24.—Confined One Month.

1583. HENRY WILLIAMS was indicted for stealing, on the 14th of May, 1 stock, value 5s.; 1 pair of gloves, value 2s.; 1 shilling, and 1 farthing; the property of Samuel Morgan Lewis, his master.

SAMUEL MORGAN LEWIS. I live in the Strand—the prisoner was my errand boy—in consequence of suspicion, I marked 4s. 3½d. on the 14th of May—we had missed money on repeated occasions—we put the money on the drawers, and at night we missed it—we supposed the servant had taken it—we went and looked in the servant's box, and then went into the prisoner's room, we found a box in which he put his things, and found in it a stock, and a pair of gloves—we came down and asked if he knew any thing of them—he said, "No"—I asked him if he knew of the money we missed—he said he did not—I asked him to take out the whole of his money—he did so—I said, "Is that all you have?"—he said, "You see, my pockets are turned inside out"—I said, "Allow me to see"—I felt in the corner of his waistcoat pocket, and found 1s. 6d. more—I then looked over the money, and found 1s. and ¼d. which were marked, we found he had bought a pair of boots, and I said I would go and see if he had paid any marked money for them—in going up Drury-lane, he said, "I did not take any money, but I admit having taken the stock and gloves"—I said, "Did you take the money?"—he said, "Don't you think the other lad did it?"—I said, "No, I believe you have taken it"—I then gave him in charge, and when he came home he admitted taking the money—I made him no promise or threat—I told him there were other things I missed, if he would tell me about them, I would recommend him to mercy.

Cross-examined by MR. CLARKSON. Q. Do you mean to state on your oath, that before he made any acknowledgement to you, you had

made him no promise or threat? *A.* No, not till after he had been in my service a fortnight and three days—the gloves had been torn in trying on—I did not miss the stock till I found it in his box, which was open—the money was marked on the day before about four o'clock, and placed on the drawers in my bed room in the same position as the money had been taken from before—I have a shopman and a boy—they slept in the same room in which the box was—the prisoner was going to receive a bill of 11s.—I believe I gave him 9s.—I am not positive whether it was 9s. or 11s.—another shopman was going to receive 11s.—I believe I gave him the same sum as I gave the prisoner—the prisoner said he had received from the other shopman the change that had been given him, as well as his own—I found the 18s. in his pocket.

ISAAC SLADE (*police-constable F 63.*) I took the prisoner—he acknowledged to Mr. Lewis that he had taken the stock and the gloves, but nothing else—after that he acknowledged he had taken the marked money.

(The prisoner received a good character.)

GUILTY. Aged 19.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Three Months.

1584. **GEORGE THOMPSON** was indicted for stealing, on the 11th of June, 1 watch, value 1*l.* 10s.; 1 watch-chain, value 2*d.*; 1 watch-key, value 1*d.*; 1 guard, value 2s.; the goods of William Campbell.

WILLIAM CAMPBELL. I am a sailor. On the 11th of June, I was lodging at Mr. George Martin's, at Shadwell. I hung my watch over the mantel-piece—the prisoner slept in the same room with me—I did not know him before—when I got up in the morning he was gone, and when at breakfast I missed my watch—I found the prisoner at a public-house, drunk—I charged him with stealing my watch—he said he knew nothing about it at first—I said it would be better to give it up at once, and then he said he had put it in for 3s.—I went with a policeman, and found it at a slop shop—this is it—I did not pay any thing for getting it out.

HENRY SOUTHAM. I am servant to a slop-seller in Ratcliff-highway. The prisoner came and asked me if I would oblige him with 3s. on this watch for a couple of hours, I advanced it, and he left the watch—I have no license to act as a pawnbroker—I did not charge him any interest—I had seen him before—he had asked me for a ship, which they often do—he told me he wanted to buy something, and was going to be settled with.

JAMES ROOK (*police-constable K 225.*) I took the prisoner—the watch was given up.

GUILTY. Aged 20.—Confined Three Months.

1585. **HANNAH BELLAMY** was indicted for feloniously receiving, of a certain evil-disposed person, on the 5th of June, 4 brass caps, value 4*d.*; 6 brass straps, value 3*d.*; and 1 oz. of soap, value 2*d.*; the goods of Edward Askey, well knowing them to have been stolen; against the Statute, &c.

EDWARD ASKEY. I am a surgical instrument casemaker, and live in Queen's Head-court, Giltspur-street. I missed some brass caps and things—I suspected my errand-boy—I taxed him with it—he took me to the prisoner's house, and I found the metal there, and found her at home—I asked her if she had got any thing of that description, showing her a pattern—she said she had got nothing of the kind on her premises—I came

away, and went again with two officers, in about an hour—she was at home—Martin asked her to show her old brass, and amongst it were these pieces that I had lost—I do not know what the prisoner is—"Dealer in Marine Stores" was written up.

MR. BODKIN. Q. When you first taxed the boy with it he denied it? A. Yes.

JAMES MATHERSON. I was the prosecutor's errand-boy—I took these pieces of brass off his shelf, and sold them to the prisoner—I did not know her before I went there—I said, "Do you buy brass?"—she said, "Yes, put it in the scale, and we will see what it weighs"—it was weighed—she did not ask any questions—she pulled 1½d. out and gave it to me, and put the brass into the pot.

Cross-examined. Q. Are you sure this woman was there? A. Yes, I saw no other boy there—I was not in the habit of robbing my master—it was the first time.

WILLIAM COURTNEY (*City police-constable, No 8.*) I went to the prisoner's house—she came in shortly after we got there—she was asked if she had bought any brass of that boy, she said, "No"—Mr. Martin told her to recollect herself, and then she turned and took an iron pot, and emptied the contents into a scale, and the prosecutor picked out the pieces which were his—she said she did not recollect it.

Cross-examined. Q. You say that she was asked if she had bought any brass of that boy, and she said "No," was it not that she did not recollect the boy? A. Yes.

GUILTY.*—Aged 54.—Confined Twelve Months.

1586. JOHN NORTH was indicted for stealing, on the 5th of June, 1 coat, value 5s.; 1 waistcoat, value 4s. 6d.; 1 pair of trowsers, value 10s.; and 1 shilling; the property of John Harmes.

JOHN HARMES. I am a labourer, and live with my father at Ashford, in Middlesex. The prisoner is a gardener, and lodged in my father's house. On the 5th of June I went to work at Mr. Parish's, about a mile from my father's—it rained, and I could not work—I turned back, and met the prisoner carrying a bundle under his arm—I knew he had no clothes, and suspected him—I let him go on—I went home, and missed the property stated—there was 1s. in the watch-pocket of my trowsers—I went and caught him with these things—he had no authority to take them—these are mine—*examining the articles.*)

FRANCIS COOK (*police-constable V. 230.*) I took the prisoner, and found these things on him.

Prisoner. I was in liquor, and took them, but meant to return them again.

GUILTY. Aged 53.—Confined Six Months.

1587. JOHN JONES was indicted for stealing, on the 25th of May, 1 handkerchief, value 2s. 6d., the goods of Thomas Cooper, from his person.

THOMAS COOPER. I am a builder. On the 25th of May I was in Waterloo-place, about a quarter to five o'clock—I felt a tug at my pocket—I turned, and saw the prisoner—I followed him about two yards, collared him, and said, "Where is my handkerchief?"—he said he had not got it—I took hold of his coat, and took it from under his sleeve—this is it.

Cross-examined by MR. PAYNE. Q. What was this day? A. The day

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after the Queen's birth-day—there was a rush of carriages crossing the street, which was the cause of my stopping for a minute—I turned round immediately I felt this—he was then about a couple of yards from me—my handkerchief was under his left arm, I believe partly down the sleeve.

(The prisoner received a good character.)

GUILTY. Aged 29.—Confined Three Months.

1588. ELIZABETH WELSH was indicted for stealing, on the 17th of May, 1 gown, value 6s., the goods of Sarah Parker.

SARAH PARKER. I am a widow, and live in Windmill-street, Westminster, and deal in ladies' wardrobes—the prisoner has occasionally dealt with me. On Sunday afternoon, the 17th of May, the shop was closely shut up—my daughter was gone out—the prisoner came and asked for a piece of silk or merino, to make her sister a bonnet—I told her to come on the morrow and I would see, but I could not attend to her then—on the Monday afternoon I missed a gown, but the cape was left, and I went to some pawnbrokers, and gave notice of it—on the Wednesday I was told that the prisoner was opposite the house with the gown on—I went, and found she had got it on—I brought her in, and she offered to pay double the value, if I would not expose her—nothing was said on the Sunday about a gown—this is the gown—(looking at it.)

Cross-examined by MR. PHILLIPS. Q. How long have you known her? A. She had dealt with me about twelve months—a friend of mine said I ought to give her into custody as she had the dress on—that person's name was Andrews—he never lived in my house—the prisoner did not put down 2s. on the Sunday, and was to give me 3s. more for the loan of the gown—my daughter had put the gown in the window—I had seen it there on the Saturday night.

DAVID SHEEN (police-constable C 101.) The prisoner was given to me for stealing a gown, which she had on.

Cross-examined. Q. You were at the Magistrate's, were you not? A. Yes—the prisoner said before the Magistrate that she had paid 2s. deposit on the gown.

MR. PHILLIPS called

BRIDGET HAYWARD. I am a widow. I have known the prisoner the last four or five years—she has had an uncommon good character—I went to the prosecutrix, and asked her what she meant to do with the girl—she said what she meant to do she had done at the station-house, and that the gown was worth six times the money she got from the girl.

COURT. Q. How came she to say that? A. I went to her on my own account to ask her a few questions, and to know what she meant to do—I went to the prisoner to take her breakfast, and as I went back I called on the prosecutrix—I called on her again, and she asked if the girl would acknowledge that she told a lie as to her being intoxicated on the Sunday evening, as it would disgrace her.

QUIN. I am single. I work for myself. I had been to the prosecutrix's shop, and bought a pair of boots—I had not the money to pay for them, but said I would call on the Saturday night or Sunday—I called on the Sunday, and the prisoner was there, making a bargain with the prosecutrix for the gown, and I saw her lay down 2s.—I stood there all the time.

COURT. Q. This occurred on the Sunday? A. Yes—I heard what

passed—I was standing behind her—the door was ajar—I swear I was in the shop—there was the prosecutrix, and the prisoner and me—I did not go with the prisoner—I know her by sight.

SARAH PARKER re-examined. *Q.* Is it true that when the prisoner came to you on Sunday this other person was there? *A.* No—no one was there but the prisoner, and she never mentioned about the dress—I did not tell the witness that the prisoner had advanced 2s. on the dress, or any other sum.

MR. PHILLIPS. *Q.* Upon your oath, did not the prisoner say you were in liquor on the Sunday? *A.* Yes, she did say so—I told the woman that the girl not only robbed me, but had endeavoured to take away my character, and she said she hoped I would make a flaw in the indictment.

NOT GUILTY.

1589. JAMES THOMAS was indicted for stealing, on the 25th of May, 2 thimbles, value 2s.; 1 key, value 2d.; 1 penny; and 5 halfpence; the property of Elizabeth Pittis, from her person.

ELIZABETH PITTIS. I live with my parents. On the 25th of May I was in St. James's Park, between St. James's and Buckingham Palace—the prisoner was near me on my left side, and then he was at my back—I told him not to push—he then came on my left side, and I felt his hand in my pocket—before I had time to speak, the policeman had him—I had two silver thimbles, a key, and some halfpence in my pocket.

Cross-examined by MR. BALLANTINE. *Q.* Where was the pocket? *A.* In my dress—these are my thimbles.

SAMUEL WRIGHT (police-constable P 172.) I saw the prisoner behind the prosecutrix—he put his hand into her pocket, and took out something, and put it into his coat-pocket—I asked her what she had lost—she said, “Two thimbles, a key, and 3½d.”—I found them in the prisoner's pocket.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Three Months.

1590. ELIZABETH THOMPSON was indicted for stealing, on the 25th of May, 1 handkerchief, value 2s., the goods of Frederick Cesar Tribe, from his person.

FREDERICK CESAR TRIBE. I am clerk to my father, who is a tailor. On the night of the illumination, the 25th of May, I was in St. James's-street about half-past ten o'clock—I felt some one press against me—I turned round, and the policeman had the prisoner in his possession behind me—the policeman came up and said, “You have lost your handkerchief”—I looked down and saw it on the pavement—this is it—(looking at one.)

WILLIAM NICHOLLS (police-constable K 177.) I was on duty in St. James's-street, and saw the prisoner walk behind the prosecutor—I watched, and saw her put her hand into his pocket and take out the handkerchief—some one passed behind her—I went before her and slapped her on the shoulder—I saw her drop the handkerchief—I told the gentleman, and took her.

BRIDGET CONNELL. I searched the prisoner at the station-house, and found on her three other handkerchiefs, one under each arm, and one between her stays and petticoat.

GUILTY. Aged 32.—Transported for Ten Years.

1591. SARAH CHILVES was indicted for stealing, on the 21st of May, 1 ring, value 11s., the goods of Henry Mills.

HENRY MILLS. I am a jeweller, living in Oxford-street. On the 21st of May the prisoner came to see some wedding-rings—I showed her a tray—I had sold one out of it before she came—the tray was full all but one—she tried several, and selected one in particular, and asked the price—I turned to weigh the ring, and told her it was 11s.—she said it did not suit her to take it, but she would call another time (the next night, I think, she said)—she quitted the shop in rather a hurried manner—I looked, and missed another ring from the tray—I sent my lad after her—he caught her and brought her in—I have not found it—my apprentice said he saw her with a ring in the street—she first denied having any ring at all, but afterwards stated she had a brass one, which she threw away into the street, and then she said it was a half-sovereign she threw away.

WILLIAM BURCHETT. I am apprentice to the prosecutor. I saw the prisoner come into the shop—my master showed her a tray—she tried on some rings, and then left the shop in a very hurried manner—I went out after her, and caught her about three doors from the shop—she turned down the next turning—I went and looked over her shoulder, and saw her looking at the ring, as if she was looking for the hall-mark—I brought her back, and she told my master she had had no ring—I said I had seen her with one.

THOMAS FREDERICK BROWN (*police-constable D 110.*) I took the prisoner—she said she had but 2s. in the world, and that she would freely give me to let her go.

Prisoner's Defence. I did not take the ring; I had a half-sovereign in my hand.

GUILTY. Aged 27.—Confined Six Months.

1592. CHARLES WAKEFIELD was indicted for stealing, on the 23rd of May, 1 bundle of rhubarb, value 5d., the goods of Richard Brown.

RICHARD BROWN. I am a green-grocer, and live in King-street, Islington. On the 23rd of May some bundles of rhubarb hung outside the door—I heard a noise, went out, and saw the prisoner cross the road with a bundle of rhubarb under his arm—I went after him—he threw it down, and began to run—I called, “Stop thief,” and he was stopped and given to me.

WILLIAM HASTINGS (*police-constable K 230.*) I took the prisoner.

Prisoner's Defence. I heard the cry of “Stop thief,” and a gentleman that stopped me said I was the person that took the rhubarb; I never had it.

GUILTY.** Aged 17.—Transported for Seven Years.—Convict Ship.

1593. JOSEPH WRIGHT was indicted for stealing, on the 30th of May, 2 half-crowns, the monies of James Christie, from the person of James Christie the younger.

JOSEPH HOUGHTON. I am a coach-maker. On the 30th of May I saw the prisoner in Southampton-street, Strand—he went up to a little boy and talked to him—I did not hear what passed—the boy appeared to me to give him two half-crowns, and the prisoner gave him something in a paper—the little boy took the parcel out of his pocket—the prisoner took it, and took the two half-crowns out of his own pocket, and showed them to the little boy—then he wrapped up something and put it

back into his pocket—then the prisoner pointed to the boy to go down the street, and the prisoner ran the way I was going—I collared him, and said, “You have robbed that boy”—he said, “No, I have not”—I said, “You have, what have you robbed him of?”—he took two half-crowns out of his bosom, and gave them to me—I took him on till I saw a policeman, and gave him in charge.

JAMES CHRISTIE. I am ten years old, and live with my father. His name is James—he is a carpenter, living in Maiden-lane—on Saturday the 30th of May, my mother gave me two half-crowns to go to Mr. Byers, at the corner of Broad-street, to buy some things—when I was in Southampton-street, the prisoner came to me and asked how I was—I told him very well—he asked how my father and mother was—I said they were very well—he asked if I knew him—I said no—he said his name was George Jones, and he had seen a man taken up for passing bad-half-crowns, and asked whether I knew how to tell if they were good—I said yes, to bite them—he felt in his pocket, and said, “I have not got a half-crown, yours are half-crowns, are they not?”—he asked me to let him look at them—I gave them to him—he wrapped up what I supposed to be the half-crowns in a piece of paper, and gave it to me again—I put it in my pocket—he then gave me a halfpenny to buy some sweet stuff—we walked together some time, and I felt in my pocket to see that my money was all right—the prisoner said, “What are you going to look for, to see if your half-crowns are there?”—I said, “Yes”—I was going to open the paper—he took it out of my hand and told me he would show me where he lived, he took me up Museum-street to the corner of another street, and told me to go and get a halfpenny worth of sweet stuff or cherries, and told me to see how fast I could run—I did not see where he went—I went to the confectioner’s where my mother had sent me—I pulled out the paper, and there were two halfpence instead of the half-crowns—Houghton came to me, and I went to the station-house.

ROBERT GAVARD (*police-constable F 51.*) The prisoner was given into my custody—I received these two half-crowns from Houghton—the boy had these two halfpence in this piece of paper.

Prisoner’s Defence. I was in Southampton-street; the boy came to me and asked if I knew him; I said, no; he told me his name, and wanted to come home with me, and wanted me to tell him where I lived; I told him in Museum-street; to get rid of him I told him to run on; he went on; Houghton stopped me, and said, “You have robbed that boy of some halfpence;” I said I had not; he said, “You have, and there he goes;” I said I would pull out all the money I had; I pulled out 5s. 6d.; he snatched the two half-crowns, and said, “You have robbed him of this, I dare say;” I said I had not, but not to make a mob I would go with him.

GUILTY.* Aged 20.—Transported for Ten Years.

1594. **MARY WOOLLEY** was indicted for stealing, on the 27th of March, 1 watch, value 2*l.* 18*s.*; 1 cloak, value 1*l.*; and 1 tablecloth, value 2*s.*; the property of Jane Lloyd.

JANE LLOYD. I am a widow, and live in Carnaby-street. The prisoner came to my house on the 26th of March, and hired a ready furnished lodging, as a servant out of place—I accommodated her with my own room—she remained only that night—she said she should be there till she got a situation—I left her in the morning, and desired her to stop till I came back—I was gone a quarter of an hour, to the butcher’s, and when I came back she was gone—I did not see her again till eleven weeks after—I lost

a watch, a cloak, and tablecloth—(*examining one*)—this^s is the cloak—I have not found the others.

BRIDGET O'CONNELL. I am the wife of a policeman, and am searcher at the station-house. The prisoner was brought to the station-house—I found eleven duplicates on her—one referred to this cloak.

SAMUEL HAIL. I am in the service of a pawnbroker, in Crawford-street. I produce this cloak—I do not know who pawned it—this is the duplicate of it.

CHARLES WEBB (*police-constable C 61.*) The prisoner was causing a disturbance in Carnaby-street, at a pork-butcher's—I went up to her and requested her to go away—she would not—I took her towards the station house—the prosecutrix came out, and said that was the person that robbed her of several articles.

Prisoner's Defence. I never saw the prosecutrix till she gave me in charge; I never lodged in Carnaby-street in my life.

GUILTY. Aged 32.—Transported for Seven Years.

1595. JAMES SPELLION and WILLIAM HEMMINGS were indicted for stealing, on the 25th of May, 10½lbs. of beef, value, 4s. 4d., the goods of William Randall, since deceased, in a boat on a navigable canal.

JOHN CLEVERLY (*police-constable D 195.*) I went on board the *Simon* in the Grand Junction Canal, and in the cabin I found the two prisoners—I asked Hemmings what he was doing there—he said, "Nothing"—I said, "What business have you here?"—he said, "None"—I then saw Spellion—I asked what business he had there—he said he was going to take the boat to Cowley—I said, "Here is a man who has lost a boat-line, let me see what you have got?"—he said, "Only the boat-lines of the boat"—I then went into the cabin and found four boat-lines, this beef, two loaves, and a boat-rope—the person who owned this beef was drowned in Yorkshire last week—he was captain of a boat, but not the boat the prisoners were taken from.

NOT GUILTY.

1596. JAMES SPELLION and WILLIAM HEMMINGS were again indicted for stealing, on the 25th of May, 6½lbs. weight of beef, value 3s. 3d., and 3 loaves of bread, value 2s. 8d., the goods of Daniel Leader, in a boat on a navigable canal.

JOHN CLEVERLY (*police-constable D 195.*) This other beef and bread I found on board the barge where the prisoners were—it was on the navigable canal—the two prisoners were in the cabin—I spoke to them—Hemmings said he had no business there, and then Spellion said he was going to take the boat to Cowley—I asked by whose direction—he could not answer me—I found these other things there.

DANIEL LEADER. I am captain of a boat called the *Rosalind*—these loaves and meat belong to me. On the 25th of May they broke a lock off the deck to get it from it—I have seen Spellion, that is all I know of them—they had no right on board my boat—the two loaves were under the tarpaulin, in the middle of the boat, and the beef in the far end of the boat—it was taken in the morning.

JAMES MILLER. I am captain of the boat that the prisoners were found on board—I found it had been moved.

Hemmings's Defence. I went to the wharf to see if there was a boat going to Cowley—I saw one boat there—I got on it, and then Spellion came and asked if I was going to Cowley—I said, "Yes"—he said so was he—the policeman came and found these goods on board.

Spellion's Defence. I came on board on the Sunday night, and laid down in the cabin, and in the morning I awoke and found the boat close to Mr. White's boat—the prisoner came on board the boat and said he was going to Cowley—the officer came and said, "Have you got the lines on board the boat?"—I said I did not know.

GUILTY.

1597. JAMES SPELLION and WILLIAM HEMMINGS were again indicted for stealing, on the 25th of May, 10 yards of rope, value 2s. 6d., the goods of James Clark, in a boat on a navigable canal.

JOHN CLEVERLY (*police-constable D 195.*) I found this rope in the fore part of the boat, not in the cabin, on the Grand Junction Canal, in the same boat that I found the prisoners.

JAMES CLARK. This rope is mine—it is what we call a stern strap, and was cut off my boat, named *Sarah*, of which I am captain—it was on the navigable canal at Paddington—it was safe at half-past nine on Sunday night, and at half-past five in the morning it was gone.

SPELLION—GUILTY. Aged 19. } Transported for Ten Years.
HEMMINGS—GUILTY. Aged 21. }

(There were four other charges against the prisoners.)

OLD COURT.—Wednesday, June 17th, 1840.

Third Jury, before Mr. Common Sergeant.

1598. ELIZA SMITH was indicted for stealing 2 10l. Bank-notes, the property of Benjamin Wheeler, in his dwelling-house; to which she pleaded

GUILTY. Aged 15.—*Recommended to mercy.*—Judgment Respited.
(The prisoner received a good character.)

1599. JOHN JONES, *alias Gaddery*, was indicted for stealing, on the 15th of May, about the hour of ten in the night, in the dwelling-house of Stephen Olding, at St. John at Hackney, 1 coat, value 3l.; 5 keys, value 2s.; and 1 tablecloth, value 30s., his goods: 3 gowns, value 30s., the goods of Daniel Baker Olding; and 1 shawl, value 1l., the goods of Isabella Harmer; and afterwards burglariously breaking out of the said dwelling-house.

STEPHEN OLDING. I live at Dalston, in the parish of St. John at Hackney, it is my dwelling-house. On the 15th of May I missed a coat, about a quarter after ten o'clock in the evening—I am sure it was after ten o'clock—it was in my dressing-room, up one pair of stairs—I had changed it for another coat about six o'clock in the evening, and left it there—when the policeman came we searched, and the servant's shawl was missed, also a tablecloth of my own, and a bunch of keys, which were in the coat-pocket—this is the coat—(*looking at it.*)

ELIZABETH BAKER OLDING. I am the prosecutor's wife. About a quarter before ten o'clock, on the night in question, I went out of the parlour, and heard somebody moving—it was nearly dark—they were in what we call the pump-room—I said, "Who is that?"—the window was immediately thrown up, and I saw a man jump out—I went into the parlour, and told Mr. Olding—the policeman came about a quarter after ten o'clock—I then examined, and missed a tablecloth and three gowns of my daughter's, Harriett Baker Olding, and a shawl of my servant's—my daughter's gowns

are here—I know them—I am sure this happened after nine o'clock—I know the window was fastened before—my daughter had fastened it—I saw it fastened, and saw the man unfasten it.

RALPH HEATON (*police-constable N 267.*) I was on duty at Hackney, and met the prisoner at a quarter after ten o'clock, in Dalston-lane, Hackney—he came towards me—I asked him what was his name—he said, “Jones”—I then asked if it was not Gaddery—he said, “No”—I told him I thought I knew him—he said, “I don’t think you do”—I knew him perfectly well—I observed a bulk in his breast, and demanded to know what he had there—he said he would show me, and putting his hand in, he took out a shawl—I asked where he got it—he said, “From a young woman;” and if I would go with him to the place he would show me the person—I went with him, where his story was ascertained to be false—he said it was all d—’ stuff—I then took him to the station-house, on suspicion of stealing the shawl—I searched his pockets in his coat and waistcoat, and from his waist and hips I took this gown—I took off his own coat, under which he wore this coat, which the prosecutor claims—I met him seven or nine perches from the prosecutor’s—I then asked him where he got the things—he said he was not obliged to tell.

ISABELLA HARMER. I am servant to the prosecutor—this is my shawl—it was on a box in my bed-room—I had seen it safe at nine o'clock that evening.

MICHAEL CANTY. I am a policeman. I was on duty in Dalston-lane, I heard of the robbery, searched about the neighbourhood, and found two dresses in the Red Cow public-house skittle-ground, adjoining the prosecutor’s house.

Prisoner. Q. What part of the ground? A. Lying across the path adjoining Mr. Olding’s field.

Prisoner’s Defence. Is it not as likely I should find these things, as that the policeman found the gown? I was returning from Clapton, across the brick-field, and found the things in a heap—might not a person commit the robbery, and throw them away? it is a public thoroughfare.

GUILTY.* Aged 20.—Transported for Ten Years.

1600. **HENRY PASSENGER** was indicted for burglariously breaking and entering the dwelling-house of Henry Jenkins, about one in the night of the 7th of May, with intent to steal, and stealing therein, 1 hat, value 5s., the goods of John William Jones; 5 cruet-tops, value 10s.; 1 cruet-frame, value 12s.; 4 spoons, value 8s.; 2 magnifying-glasses, value 1s. 6d.; 1 box, value 3d.; 1 pair of slippers, value 1s. 6d.; 2 pairs of boots, value 3s. 6d.; the goods of Henry Jenkins.

HENRY JENKINS. I live in Barnsbury-place, Islington, it is my dwelling-house. On the 8th of May I came down stairs at half-past six o'clock in the morning—I did not open my back-door till seven o'clock—I then found a ladder, which I knew must have been taken from the yard of my next-door neighbour—it was against the wall on the left-hand side, on turning round to the right, I saw a heavy iron grating, two feet square, had been turned over, and on it was lying the bottom of my cruet-stand—I went up stairs, and found my cruet-stand was taken from the cheffionier, in a parlour up one pair of stairs—they must have torn up the iron grating, passed through the cellar, up the kitchen-stairs, and up the half-flight of stairs into the parlour—it must have required a strong pull to get the grating out—I immediately proceeded to the station-house, desiring the people at home not to disturb any thing—the policeman afterwards came—I missed a pair

of boots and a magnifying-glass, a tin match-box, a hat belonging to Mr. Jones, three salt-spoons, and one tea-spoon—I had seen the spoons the day before—I have found the bottom of the cruet-stand, the match-box, and the magnifying-glasses—these are mine—I was awake at five o'clock, and came down at half-past six—I do not believe any body could have been in the house after five o'clock without my hearing them.

JOHN WILLIAM JONES. I live in Mr. Jenkins's house. I did not go down stairs till about seven o'clock, and missed my hat—this is it—(*producing it*)—I had gone to bed about eleven o'clock the night before, and left the hat in the parlour.

Prisoner. There is no mark nor name on the hat. **Witness.** I know it to be mine, by a particular loop which I tied in it, and which I described to the officer.

JOSEPH SHACKELL. I am an inspector of police. I apprehended the prisoner at the White Horse public-house, Saffron-hill, at half-past eight o'clock, on the evening of the 13th of May—I had heard of this robbery, and seeing him with a hat on his head answering the description, I took him to the station-house, I found two magnifying-glasses on him, and this tinder-box with the matches in it—I asked him how he came by the hat—he said it was his own, and he had bought it at a pawnbroker's.

Prisoner. I was tipsy at the time. **Witness.** He was not tipsy—I asked where he bought it, he said in Long-lane, and afterwards of a tall man in a blue-coat—I asked him where he got the glasses from—he said from a person named Webb, a thief, who was transported last Sessions—I found this box on his person—he did not say how he got that—Mr. Jones, in his presence at Hatton-garden, described that he knew the hat by a loop he had tied in it.

Prisoner's Defence. I bought the hat of a Jew; I was very tipsy on the 1st of May, going out dancing with the chimney-sweeps, and bought the hat; the magnifying-glasses I have had two or three months; Webb was transported the Sessions before last.

GUILTY** of breaking and entering, but not burglariously. Aged 20.
Transported for Ten Years.

1601. **ROBERT HOSIER** was indicted for stealing, on the 15th of May, 3 baskets, value 10s.; and 250lbs. weight of eels, value 6l. 10s.; the goods of Jan Weeger Visser and another, in a vessel on the navigable river Thames.

ALE MINNES STEGENGA. I had some eels, on the 15th of May, in three baskets—I tied them to a ship, and came up to Billingsgate with them—when I got there they were safe—they were under my care—my boat lay at Erith—a Greenwich waterman brought them up—I was in the vessel—I got up at four o'clock in the morning, and they were gone—I had made them fast to the vessel which I was in at twelve o'clock at night, and remained on deck till two o'clock—they were safe then—I had come from Holland, and they were consigned to me by Jan Weeger Visser and another to sell here—this is one of the baskets which contained them—(*looking at it*.)

Cross-examined by MR. CLARKSON. Q. Did you sleep on board the boat? A. Yes—the eels were made fast to that boat.

KEST WILLEMS VANDER SLUYS. I made the baskets fast to the vessel about a quarter-past twelve o'clock—I know this to be one of the baskets, my name is on it.

Cross-examined. Q. How did you make them fast? A. To the vessel and an iron bolt on board a ship—the rope was cut—I have the other end of it.

CHARLES JOHNSON (*Thames police-constable, No. 72.*) I was in the boat with my inspector on the morning of the 15th of May, and found the eels in a boat—the prisoner was in possession of the boat—this knife was at the bottom of the boat, under the eels.

Cross-examined. Q. When the prisoner was acquitted on the former trial, did you hear the Court say, if the prosecutor thought fit, he could prefer another bill, but they would give no order for his doing so? A. No, I do not recollect it—I did not ask him to go before the Grand Jury again.—(*The prisoner had been acquitted on a previous indictment, on account of a mis-description of the property.*)

JOSHUA JUDGE. I am a police inspector. I was with Johnson when the eels were found in the prisoner's boat, about a quarter to five o'clock, nearly opposite Wapping—he was rowing it down the river—I called to him, and said, "What have you in your boat?"—he said, "Eels"—I said, "Where did you get them?"—he said, "I bought them of a man at Billingsgate"—I said, "Do you know the man?"—he said, "No"—I said, "What did you give for them?"—he said, "Two pounds"—I asked if he had a knife—he said he had not; and in about five minutes afterwards I saw another boat coming down the river with three empty eel-baskets, and rowed by another man—I called to him, and he rowed towards me—I examined the boat, and found the rope, which had been recently cut, on the baskets—the other end of the rope was fixed to the vessel they were stolen from—I directed my man to search among the eels, and he found a knife—the prisoner is a drudge-man—they call themselves fishermen, but they go about getting coals and what they can from the barges.

Cross-examined. Q. Did you ask the prosecutor if he wished to go before the Grand Jury? A. I took him there—I was out of Court when any thing passed about it—I did not tell the prosecutor he must swear he slept in the vessel.

THOMAS BEADLE. On the 15th of May I was going down the river to work—opposite the London Dock I saw something at the head of the boat—I told my boy to row towards it, and found it was three baskets—I took them into my boat, and was going to put them into a barge close to the Thames police-office, when Judge came and told me he must detain me, I asked if he could not let me go to work, and come when he wanted me, but he said no.

Cross-examined. Q. How far did you find them from Billingsgate? A. It might have been near a mile—the tide was going down—I found them about a quarter before five o'clock.

NOT GUILTY.

1602. WILLIAM COLEMAN was indicted for stealing, on the 11th of May, at Christ Church, 1 cash-box, value 18s.; 41 sovereigns, 21 half-sovereigns, 32 half-crowns, and 120 shillings; the property of Henry Hook, his master, in his dwelling-house: and that he had been before convicted of felony.

HENRY HOOK. I am a publican, and live in Newgate-street. On the 11th of May, about two o'clock in the afternoon, the exciseman came to my house to take stock—I had a cash-box at the time in a drawer—I took it out to get the exciseman's signature to a paper, and placed it on the counter in the inner room—the prisoner was my pot-boy—he was at

that time in the warehouse—there was in the cash-box forty-one sovereigns, twenty-one half sovereigns, and 10*l.* in silver, in a canvas bag—while the cash-box was on the inner counter, I had occasion to go down stairs into the cellar—the prisoner had no business in the inner room, nor in the cellar—while I was in the cellar I heard somebody come down there in the dark—I had the gas burning—I *sung out*, “Who is there?”—the prisoner answered, “It is me”—I said, “What do you come down in the dark for? why did you not call out?”—he made no answer, but went up stairs—I remained down for about a quarter of an hour, then came up, went into the inner room, and the cash-box with the contents were gone, and the prisoner also—I saw him in custody in the morning—he had a new suit of clothes on, a new hat, and new boots.

Prisoner. He said at the office I was cleaning the windows, and what I went down stairs for was the broom.

SAMUEL ROLFE (*City police-constable, No. 458.*) In consequence of information, I went on Monday evening, the 11th of May, to a gin-shop, in Sharp's-alley, Cow-cross, I found the prisoner there, brought him out, and said he must come along with me—I observed him thrust his hand into his left-hand coat-pocket, and throw money out on the ground—I heard it jingle—I put my hand behind him to the pocket—he took it off—my hand was then seized by somebody behind, who pinioned me for a short time—the prisoner then attempted to take something from his trowsers' pocket, and threw money out, and as he threw the last money out an officer came to my assistance—it was dark—I could not see what became of the money—we secured him, and took him to the station-house, and found on him 27*l.* in gold, 1*l.* 14*s.* 6*d.* in silver, and 7*d.* in copper—I took him to the Compter, I was afterwards sent for there—Anderson the keeper was present when the prisoner made a statement.

Prisoner. He said, “I want you for robbing your master, if you will give me 10*l.* I will say nothing, and let you go freely”—I said I knew nothing at all of it, and had no occasion to give him money. *Witness.* I did not say so.

JOHN ANDERSON. I am clerk at Giltspur-street Compter. The prisoner was brought there—I received a message, and went to him—he said, “Mr. Anderson, I am determined to tell you all about it”—I said, “What you say to me will be used in evidence against you, so you had better be cautious”—I wished the officer to see him—the caution was again repeated to him—he said, “It is no use, I won't deny it, I have been led into it; you know Ben Roe, who was here when I was, him and Jem Moore led me into it”—I said, “What had Roe to do with it?”—he said, “Roe had 7*l.* 10*s.*, they got me to do it; he bought a pair of boots on Saffron-hill; the holes in the boots were very close; if you go and find him, I dare say he has the boots on now”—I said to the officer, “What is the extent of this?” and the prisoner answered, “There was about 60*l.* in the box.”

Prisoner. I was at the office three times—at the first examination they said nothing about my saying I gave Roe 7*l.* 10*s.*, and at the first examination they could not swear to the half-sovereign.

ELLEN HOOK. I am the prosecutor's wife. Here is a half-sovereign, which I know—there was such a one among our money.

THOMAS HOPKINS. I produce a certificate of the prisoner's former conviction—(*read*)—I was present when Richard Coleman was tried—I believe the prisoner to be the man, but he is much altered since.

JOHN ANDERSON. The prisoner was in our custody in 1838, when he

was convicted—I know him to be the man—he was there three months before—he has been convicted twice.

GUILTY.* Aged 17.—Transported for Ten Years.

1603. THOMAS MATTHEWS and GEORGE SMITH were indicted for burglariously breaking and entering the dwelling-house of Effingham Wilson, at St. Mary, Islington, on the 23rd of May, about the hour of 2 in the night, with intent to steal, and stealing therein, 23 spoons, value 15*l.*; 1 castor-stand, value 4*l.*; 1 pair of sugar-tongs, value 1*l.*; 1 opera-glass, value 10*s.*; 1 vinegarrette, value 7*s.*; and 1 pair of spectacles, value 15*s.*; his goods.

MR. PRICE conducted the Prosecution.

EFFINGHAM WILSON. I live at No. 19, Canonbury-square, St. Mary, Islington—it is my dwelling-house. On the night of the 23rd of May, after my servants had retired, I went round, about eleven o'clock, and saw all the external fastenings safe—the following morning, at six o'clock, my servants called me, and I found the house broken open—it had been entered by the back-kitchen window—the sash was thrown up, and the shutters cut, first having holes bored with a gimlet, and the bar removed—a gimlet had been first used to the shutters, and afterwards probably a knife, making a hole to put a hand in to undo the bar—I am quite sure the opening must have been made before five o'clock—we examined the cupboards and drawers in the kitchen—they had all been forced and ransacked, and every thing of value taken out—from the store cupboard in the kitchen, the plate basket, and all the plate was taken—several spoons, a castor-stand, and opera-glass, and other articles were gone—the things were strewed about the kitchen, and one candle was cut from a pound, and three parts burned, lying on the kitchen floor—the value of the property missing is 20*l.*—I believe I was the first person up.

SUSAN SWADLING. I am the prosecutor's housemaid. I got up at six o'clock, on the morning of the 24th of May—the clock struck six after I called my master, as I was going down stairs—I had heard a noise on the stairs before I called my master, as I came out of my bed-room door—it must have been two or three minutes before six then—I knocked at master's bed-room door to ask if he was gone down stairs—he was in his room—I stood against the staircase-window, and saw two men running from the back of the house—it was the two prisoners, I am certain—I saw them go from the back-kitchen door down the garden, and get over the wall—they then crossed the garden of the next house, went over four or five walls, and I saw no more of them—Matthews was dressed as he is now—the other one was dressed different—it was quite light—I have not a doubt of them—I went down stairs with master and mistress, and found the house broken open—I missed all the plate which was in the cupboard—several spoons, a castor-stand, and other articles—I had seen it in the plate basket the previous night, between nine and ten o'clock—I found the plate basket quite empty behind the kitchen door—none of the property has been found—the drawers had all been opened, and the cupboards forced open—I saw a candle, apparently half burned, in the kitchen, one had been cut off a pound that laid on the kitchen-dresser.

Cross-examined by MR. PAYNE. Q. Was the window shut when you looked through it? A. Yes—the garden is rather a long one—I had never seen the prisoners before—Smith was in a white smock-frock, and white hat.

HANNAH SEYMOUR. I live in Canonbury-terrace. Mr. Wilson's wall comes even with our house—I saw the prisoners, on the morning of the 24th of May, at six o'clock, getting over Mr. Wilson's wall, coming as from the house—our house is five or six houses from the prosecutor's—I saw them very distinctly—they came towards me—it was a minute or two after six o'clock.

Cross-examined. Q. Where were you? A. In my bed-room, on the third floor—it is not a very high house—it is higher at the back than at the front—I had never seen the prisoners before—I was taken to see them by a policeman, and knew them—I have no doubt of them—Matthews had the same dress on.

Smith. The policeman brought the witness—the turnkey told me to walk round the yard with the other prisoners, and he said, “That is the man”—the servants did not notice me then, but in a few minutes the witness said, “I think that is him”—the turnkey said, “You must not think, you must be sure,” and she said, “Well, that is him.” *Witness.* I had no doubt of him.

RICHARD BRADSHAW. I am a messenger at the police-court t Bow-street. On the 27th of May, I was sent after the prisoners, and found them at No. 19½, Collingwood-street, Shoreditch—Smith was lying on the bed with his coat off, and Matthews was standing by the window—I said to them, “I want you for a robbery on Saturday night last”—I put my hands into my pocket, took the handcuffs, and was going to handcuff Smith, as he laid on the bed—Matthews ran to the window, and threw it up—I left Smith, and went and seized Matthews—he threw himself out of the window—I held him by the collar, and told the constable to mind Smith—there were several other persons in the room—Matthews hung out of the window, and kept plunging and striking me, but I held him, and secured him—Smith was taken on another charge—I found this gimlet in the room—I went to Mr. Wilson's house, on the 27th, and examined—I found the shutters perforated in several places by a gimlet, I tried this gimlet, which was found in the lodging—I believe it was done with that—I have not the least doubt of it—I found in the room this shirt, with the collar cut off—it has the appearance of a smock-frock.

Cross-examined. Q. How were the holes made? A. Bored close together across the grain, and then the wood split out—part of the marks of the gimlet would be forced away, but one place was not taken out where I tried the gimlet—any gimlet of the same size would make these marks.

JAMES MILLER. I am an inspector of police. I went to the prosecutor's house, on Sunday morning, the 24th of May, and found two square holes in the shutters, and two pieces cut out—I have them here—I compared them with the shutters, and they fitted—several drawers and cupboards had been forced open—a hand had been introduced through the hole, and the bars removed—the hole was cut with a knife, after boring.

JAMES BENNTHALL GILL. I am a policeman. I produce a knife, which I found on Matthews.

Smith's Defence. I am innocent—I have been very bad, but am not guilty of this.

MR. PAYNE called

WILLIAM RICHARD MATTHEWS. I am a manufacturer of perfumes, and live at No. 4, Crown-street, Old-street-road. The prisoner Matthews

is my son—on Saturday night, the 23rd of May, he came home at a quarter past twelve o'clock—he slept in the attic—his two brothers slept with him—the three brothers slept in the same room, but two brothers slept in the same bed with him—I was at home all that night, and my wife was at home—I did not see him till eight o'clock next morning—my room is on the floor underneath—it is a two-story house—kitchen, parlour, first floor, and attic—there is one room on a floor—I slept on the first floor—I was not disturbed in the night by any body going out—he came down to breakfast at eight o'clock next morning—I did not see him when he came home the night before, but I heard his voice at a quarter after twelve—at half-past five the next morning, there was a noise—the attic door appeared to be banging backwards and forwards—we had been disturbed with two children, who had a fever, on and off all night, and about half-past five I unlocked my bed-room door, and called out to know what that noise was, and Thomas answered they had been to bed with the front attic window open, without observing it, and that caused the door to flap about—he did not go out that morning, nor till four o'clock in the afternoon.

COURT. Q. How do you know he slept with his two brothers? A. By answering me at half-past five o'clock—I am able to say they were sleeping there that night—William and James slept with him—I heard him come home at a quarter past twelve o'clock—his mother let him in—she had just got up to bed—I had left her to fasten the door—she had not undressed herself, at least I think not—I am not positive whether she was undressing or was undressed—I was in bed—she was in the room when the knock came to the door—I had gone to bed first with a violent headache—I had been in bed about ten minutes—she was down stairs about a quarter of an hour before she came up again—she was arranging things which had been got in for the sabbath, and waiting for him—I cannot say what she was doing—she came up again and was seeing to the children that were ill, and in the mean time he came and knocked at the door—he was only out in his slippers—he had only been out a short time—I cannot exactly say how long, but he had only his slippers on—he had been with me all the evening and till about eight o'clock, when he left off work—I think he left me about eight o'clock—he was out from eight o'clock till a quarter past twelve o'clock—I believe he was in and out, at least I understood so—I did not see him, being in and out myself on business—he had a red waistcoat on, a cap, and the coat he has got on now.

Q. How come you to recollect all the particulars of the night? A. By the noise in the morning part, and the children being ill—when I called out to them he said they had been to bed with the front window open, which made the door blow about—my other son, who was in bed in the room, is named George, and is about nine years old—he is not here—I thought him too small to bring—when the prisoner spoke about the window, William and James spoke too—they were all talking together—they were all awake—they said they had been very much frightened, and had very little sleep all night in consequence—they went to bed about eleven o'clock that night—I am sure of that—the prisoner works with me—my wife came down first next morning, and I next; James next, William next, and Thomas last—we breakfasted about half-past seven o'clock—we had nearly done when Thomas came down—I am positive he came down—he had bread and butter and tea for his breakfast—he sat by the side of the fire-place—he had no supper the night before, as he did not come in in

time—we all supped at home except him—all who I have mentioned were there that night—we supped at near eleven o'clock.

ELIZABETH MATTHEWS. I am the wife of the last witness—the prisoner is our son—I remember the Saturday night before he was taken into custody—he came home that night at a quarter after twelve o'clock—it was after twelve o'clock, but I cannot exactly say the time—it was very little after twelve o'clock—I let him in and then fastened the door myself—I then retired—I slept on the first floor—he slept on the second floor—his two brothers James and William slept with him in the same bed—the younger one occasionally went to sleep with them if his brother did not come in—on this night he was in the same bed—we had three little ones lying in a bed in our own room—I have eight children—about six o'clock I heard Thomas answer his father—I saw him about eight o'clock next morning—he was rather dilatory in getting up, and he was the last down that morning—he came down without shoes, having occasion to clean his shoes—we breakfasted I suppose before seven o'clock, but I cannot say whether it was seven o'clock or not exactly—he came down about eight o'clock—we had done breakfast then, both me and my family.

COURT. Q. How was it that you let him in at night? A. My husband was rather tired, fatigued in his business—I had gone up stairs to bed, but came down, hearing the knock—I was out of bed—I had a light—I had been up in the room about half an hour when he arrived—we went up a little before twelve o'clock—I had undressed myself, and I threw my gown over me to go down and I let him in—he had no supper when he came in—I had locked the parlour door and gone up—I was not down five minutes then—I saw him go up to his own room—he had nothing at all—I suppose he had gone out at eight o'clock after he left work—he was dressed in a blue surtout coat, a red waistcoat, a coloured handkerchief, and lace-up boots, which he has on now—I noticed them when he came in—I said it was a very late hour to come home, and he said, “No, it is not late, for the shops are open yet”—the next time I heard of him was half-past five o'clock—I had two little ones lying ill with fever, and they cry for drink—I got up and got them drink—my husband awoke and said, “Dear me, what a noise those boys have been making all night, they quite disturbed me,” and he got up, opened the door, and called out, “What do you mean by disturbing me all night?”—Thomas answered, “Father, we have been all night with that window open, which made the noise, and William nor James won't get out to fasten it”—one is fifteen years old, and the other thirteen—they had been at home the night before and supped with us; Thomas had not—I know that William and James were awake that morning at half-past five o'clock—I did not go into their room—I heard both of them speak—I did not hear the little one—he was asleep in the bed—they were all four in one bed—I had been up in the room about half an hour before Thomas came home—my husband had gone to bed before twelve o'clock.

Q. How came you to be undressed and not gone to bed? A. We felt anxious at his being out—he never stopped out all night—I was waiting undressed for him—my husband was awake and saw me waiting for him, and he said to me, “There he is, knocking at the door,” and I went down, hearing the knock—my husband could see I was undressed—the prisoner works at home with his father.

MR. PRICE. Q. How far do you live from Canonbury-terrace? A. I do not know—I have no idea of it—I do not know any thing of this shirt.

WILLIAM MATTHEWS. I am the prisoner's brother. I was at home on the Saturday night before he was taken into custody—I went to bed at eleven o'clock—he was not at home then—I slept in the attic—James went to bed first—I came in afterwards—I and James slept in the same bed along with Thomas—Thomas came to bed that night, and he awoke me—he came into the same bed with me and James—my brother James went down first next morning—I heard my father call out to us in the morning, as the door knocked about—Thomas was in the room at the time—I went down to breakfast before Thomas—I am sure Thomas was not out of the room after he came in the night before.

MR. PRICE. Q. What time did Thomas go down to breakfast? A. About eight o'clock—I got up about half-past seven o'clock, and left him in bed—I am an ebony ink-stand maker—I go to work at nine o'clock in the morning—I spoke to Thomas when he came home—he pinched me and said, "Are you awake, *Bill*?"—I said, "Yes"—he went to sleep, and I went to sleep—I do not know whether he was very tired—I did not ask him—he went to sleep directly—he had on what he always has, a blue woolly coat, and a red waistcoat—he was not dressed as he is now—he had a waistcoat, a cap, and the coat he has on now—I call that blue—it was about half-past five o'clock that my father called out about the noise in our room—I was first spoken to about coming here three days ago—my father spoke to me about it, and my mother—I do not think any body else has—I do not remember—I do not mean to say that other persons have not spoken to me about it, but I cannot recollect whether they have or not—my father said, "You must speak the truth, and nothing but the truth"—that was the first he said to me on the subject—I did not at that moment know what he was going to ask me about—that is three or four days ago—I cannot recollect the exact words he first said—I am sure he said something about the truth—he told me my brother had got into trouble—those were the words he used—that was about the second thing he said—I said I knew he was in bed, because the door was knocking about, and he kept pinching me, and we did not speak to one another, because we were frightened—I should say that was about three o'clock in the morning—I told my father it was about three o'clock, because we heard the vinegar-ground clock strike four, and five, and six, and seven o'clock—I did not sleep at all from half-past three till seven o'clock—I had gone to bed at eleven o'clock—I knew the time by being out for some dog's meat—that was my usual hour for going to bed on Saturday night—I leave off work about seven o'clock—I went to sleep directly after I went to bed—my brother Thomas awoke me about three o'clock by pinching me on the leg—I did not ask what he meant—I listened to the door, but I did not speak to him—I thought it was somebody breaking into the door, pushing it, but it was the wind, the garret window being open—nobody could get to the garret window to get in—he awoke me both at a quarter-past twelve o'clock. when he came home, and a little after three o'clock, when it was just peep of day—I was kept awake from three o'clock to seven by the banging of the bed-room door—it was banging all that time very loud, like any body *shoving* with all their force—it is a small house—we occupy all the house—I did not get up and shut the door in the night—my brother did, when my father called out, "Thomas, what noise is that?"—I should say that was about half-past five o'clock—the door continued banging till seven o'clock, because the stool being against it, he did not shut it properly—I

did not attempt to shut it again—my brother shut the window, and that stopped it a little, but it still went on banging—it made a little noise, not so much as when the window was open—my brother was awake all the time, till my father hallooed out to him about the door—we had no conversation during that time—we laid awake pinching each other—Thomas was awake all the time, and James too, from three o'clock till past seven—I *kept writing on Thomas's leg with my fingers, meaning what I thought*—I thought it was somebody breaking into the house—I thought I should call to my father to come out of the door, to know what it was, because I was frightened—neither of us called out to my father—my brother understood what I meant by writing on his leg—he pinched me to keep quiet—I did not say any thing to him, nor he to me—my other brothers did not speak at all to either of us—I know they were awake because they kept pinching me and I pinching them—James kept pinching me and Thomas too, and I pinched them in return, from three o'clock till half-past five—I was awake from three o'clock to seven, but Thomas went to sleep at half-past five o'clock, after he shut the door—I am quite sure we did not speak to each other—we spoke by writing—I did not go to sleep after half-past five o'clock—Thomas did—James did not—he was not asleep after three o'clock, the banging of the door did not awake Thomas again—it still kept moving about, but not so much—there was a lock to the door, but the staple of the lock was moved—it does not fasten—the street door fastens with a latch, a bolt, and a lock—it is very easily opened from the inside, anybody could open it and let themselves out, if the door was not locked, but the latch makes a noise when you open it—it would not make so much noise as the room door did all night—while the door was making a noise up-stairs you could not hear the door opening below—we all breakfasted together that morning about eight o'clock—my mother had breakfast before us about half-past six or seven o'clock—we all breakfasted together except her and my father, he breakfasted before us—Thomas, James, and I breakfasted together—I had bread and butter for breakfast, and I fetched my brother two eggs, one for him and one for me—Thomas had not an egg—he wanted a halfpenny one, but could not get it—my mother was present at breakfast—I had bread and butter and tea—we had done breakfast about nine o'clock—I did not go out when we had done breakfast—we had some work to do—my brother did not go out till four o'clock in the afternoon, nor did I go out either, because we were at work all together.

Q. What, on Sunday morning? A. Yes, at perfumery—James did not go out, nor my father and mother—neither of us went to church—I go sometimes—I did not go that day, because we had to work that day.

MR. PAYNE. Q. How long before your brother went to sleep again, did your father call to you about the door? A. About a quarter of an hour—I went to Hatton-garden with my father and James and my mother—I was not examined there—I was ready to be examined both times, if the Justice had examined me.

COURT. Q. Were you before the magistrate when he was first there? A. No, I was afterwards—I did not state that this could not be, for my brother was in bed with me—they did not hear us—I went the second time.

Q. Then you heard of this before three days ago? A. Yes, I first heard of it the same night that my brother was taken, on the Wednesday—

he was taken out of Collingwood-street, about a quarter of a mile from us I heard—I had seen my brother the day before, and the day before that—he had slept with us every night, but this night I particularly remember—I remember every thing about that night—he arrived a little after twelve o'clock—he had no light when he came into my room—he got into bed without a light—he slept outside next to the door, James next to him, and then me—George slept down at the foot, that I am sure of—Thomas awoke me at three o'clock and at twelve o'clock also—I do not know whether James was awake or not at twelve o'clock—he did not speak to us—when my father called out, James said, “What is the matter?”—James was awake all the time from three o'clock, and he got up and said to my father, “What is the matter?”—my mother called him at half-past six o'clock—James and I did not say a word about the banging of the door—I am sure we had breakfast together—we waited breakfast till Thomas came down, and then sat down to breakfast together—we were doing about till then—James cleaned the boots, and we three sat down to breakfast—my father was there, and had an opportunity of seeing what we had for breakfast—James did not clean Thomas's boots—Thomas wore a pair of Blucher shoes that night—I could not see them at night, as it was dark, but in the morning his things laid at the head of the bedstead—I am sure he had shoes, because his Wellington boots were locked up in the cupboard—my mother had locked them up the night before, that he should not go out, but do the work first—he had tie shoes—I spoke to my father and mother about this, and to Mr. Wooler, the solicitor—his clerk is here—he has spoken to me on the subject, at Hatton-garden.

JAMES MATTHEWS. I recollect the Saturday night before my brother was taken into custody—he slept at home that night in the same bed as me—he got up about eight o'clock—I was not awake when he came to bed.

MR. PRICE. Q. What time did you go to bed? A. About eleven o'clock—my brother William was not in bed then, he came to bed soon after I was in bed, soon after eleven o'clock—I was not asleep when he came to bed—he came to bed about an hour before Thomas—Thomas came to bed about twelve o'clock—he did not say any thing when he came to bed—I did not hear him tell my brother where he had been—I was not awake at twelve o'clock—I know he came to bed about twelve o'clock, because I was awake then—I was awake when he got into bed—I saw him—he had no light—I did not keep awake long after he came to bed, about half an hour—I did not talk at all during that half hour—neither of us did—not a syllable passed on either side, I will swear that—William asked Thomas what kept him out so late, and Thomas said that was nothing to him—William requested him not to be so saucy—I remember all that distinctly, and then some words passed—they did not get to fighting, but they were very near it—William told him to go to sleep and hold his tongue—there was a quarrel between them about a red waistcoat, Thomas told him to let the waistcoat alone.

MARY ANN WILLIAMS. I sell things down in Petticoat-lane—I have been living by myself about three weeks, and Mary Ann Humphries came and asked me if I could make it convenient to let her and George Smith be a my place till they could get a place of their own—I lived at No. 19½, Collingwood-street at that time—that is where he was taken—on the 24th of May he went to bed at twelve o'clock—we had our supper—he and Humphries had been with me about three weeks then—it is a respectable house—

had lived there about nine months—they are all working people that live in the house—I came home about nine o'clock that night from the Minorities—Smith and Humphries were sitting by the fire—he asked if I would have some steaks—we had some steaks for supper, and he and Humphries went to bed about a quarter after twelve—it was Saturday night—they slept in the bed, and I had four chairs made up for me to sleep on—we had gone on in that way for three weeks before—I stopped up till about one o'clock mending stockings—I went to bed, and Smith got up at half-past seven o'clock in the morning, went down into the yard and washed himself, and the shoemaker who lives in the back room looked out and told him not to wash in the tub—I did not go to sleep till one o'clock—they were fast asleep when I went to bed—I got up about an hour before they did and lit the fire—I went to sleep about two o'clock—I heard Shoreditch chimes—I awoke about five o'clock in the morning, and got up about a quarter after six soon after Shoreditch bell went—Humphries and Smith were both in bed and asleep—I awoke them both, and asked them whether they would get up to breakfast—that was seven o'clock, and he got up about half-past, before she did, and went down and washed—she slept on the right, and he on the left—she slept next the door, next to me—I had my chairs made up by the side of her—he was at home when I came home about half-past nine o'clock, and had a cigar after supper, and a pint of ale, and a bottle of ginger-beer in it before he went to bed—Humphries drank with him—I had the same—we had the pint of ale and ginger-beer among us three—that was all—we talked about going to Woolwich by the steamer next day—I stopped up to mend a pair of white stockings, and when the prisoner went out in the morning he came home at one o'clock and went to the baker's and fetched the dinner home—he went to Woolwich after dinner—I believe he worked at a tobacco shop at Shoreditch—I believe he carried things about during the three weeks—I do not think he worked at the tobacco shop, but I never inquired—he used to go out in the morning and come home at night—I only know him by being with Humphries during the three weeks—she was my friend.

MR. PRICE. Q. Did you talk about nothing but going to Woolwich?
A. No, nothing the whole time, that I know of—I believe he smoked but one cigar the whole time.

MARY ANN HUMPHRIES. On the morning of the robbery Smith was at home and in bed—he went to bed about a quarter before twelve o'clock—I did not get up till a quarter after seven o'clock—I recollect it perfectly—we were going down to Woolwich the morning the robbery was done—I slept with him that night—I have been in the habit of sleeping with him for the last three months at No. 19, Collingwood-street—not exactly three months, shorter than that, a month or so shorter—I am positive it is six weeks—we had a room in Rose-lane, and I lived with him before—Mary Ann Williams is a friend of mine—it was her room—we managed to make two beds in it—we made one on the floor—Mary Ann Williams slept on the floor—I think she slept in the bed that night—we all three slept together—Smith went out the same morning in his best clothes—I got up at half-past seven o'clock, as we were to go down to Woolwich that day—he went out for a walk that morning, and returned about ten minutes before one o'clock, and went to Woolwich about two o'clock in the afternoon—Williams got up first—Smith and I got up about the same time.

MR. PRICE. Q. What did Mary Ann Williams say about the white

stockings? *A.* I do not recollect—I remember her sitting down to mend a pair—I believe she mended them in bed before she was dressed—the prisoner did not find fault with her for being so lazy, to my knowledge—I do not mean to say it was not said—he did not call her any opprobrious names—they did not abuse one another, to my knowledge—I will not swear they did not.

MATTHEWS—GUILTY. Aged 18.—Transported for Fifteen Years.
SMITH*—GUILTY. Aged 18.—Transported for Life. (See page 166.)

1604. RICHARD PEDRICK was indicted for burglariously breaking and entering the dwelling-house of George William Smith, at St. Leonard, Shoreditch, on the 10th of May, about ten o'clock in the night, with intent to steal, and stealing therein 1 button, value $\frac{1}{4}d$, and 15 groats, his property.

GEORGE WILLIAM SMITH. I keep the Red Lion public-house, Wilson-street, St. Leonard, Shoreditch. On Sunday night, May 10, I went up to my bed-room a little after ten o'clock, in consequence of my wife coming down and telling me something, I found the window thrown open—I had been in the room that afternoon—I had a chest of drawers in the room, and on it laid a saucer with some fourpenny pieces in it—here are fifteen fourpenny pieces and a brace-button—I had the fourpenny pieces in the saucer on the drawers that night, and I believe this brace-button was in the saucer with the fourpenny pieces that night—(*examining them*)—we have two empty houses adjoining ours—a man could get in at the window from the adjoining house—when I went up stairs the fourpenny pieces and button were gone—I came down, went to the first empty house, and found the door fastened inside—I tried the other one, and by turning the handle I got in—I held the handle for one or two minutes, and then somebody wanted to come out—I held the handle fast till a policeman came along—I spoke to him—he went in and brought the prisoner up—he was searched in my presence, and two crow-bars and a dark lantern were found on him, and a box of matches—I asked him if he had not some fourpenny pieces—he said he had not—he put his hand in his pocket and pulled out six or seven, and said he had got no more—the policeman then found on him fifteen in all, and the button—there were from fifteen to seventeen fourpenny pieces in the saucer—there was a mark on the drawers which corresponded with one of the crow-bars.

SARAH SMITH. I went up stairs and found the window open—I heard somebody going out of the window as I entered the room—it was a little after 10 o'clock—I ran down and called my husband—I found a cap with an old black handkerchief in it on the window s'll outside—I had left the room at five o'clock—the window was shut down, but not fastened.

JOHN ROADKNIGHT (*police-constable G 167.*) I was on duty in Wilson-street—Mr. Smith called me over—I went into the empty house, and found the prisoner in the cellar behind the door—I found on him the articles produced—I found a dark lantern and two crow-bars—he had neither hat nor cap on—I asked him if the cap Mrs. Smith found was his—he said, "Yes."

Prisoner. I was going down Wilson-street; two men were standing in the street; one asked me to go into the empty house and fetch something, and said he would give me something for my trouble; I saw somebody at the door, and I went into the cellar; I

had been working at Greenwich, and taken 13s. or 14s. ; there were a great many fourpenny pieces among it.

GUILTY. Aged 20.—Transported for Ten Years.

1605. **THOMAS PHILLIPS** was indicted for stealing, on the 2nd of June, a half-bushel of wheat, value 12s., the goods of Samuel Stevens.

MR. CLARKSON conducted the Prosecution.

HENRY SHACKELL (*police-constable T 46.*) I was on duty at Stanmore, on Tuesday, the 2nd of June—about a quarter past one o'clock in the morning I saw a man look through Mr. Stevens's rick-yard gate—at that moment two men advanced from the gate towards the Ashford-road—I pursued them—one had a sack on his back—the prisoner I am certain is one of the men—I knew him before perfectly well—I went up to them and asked the prisoner who had the sack what he had got there—he said, “Potatoes”—I put my hand on the sack—it appeared to contain corn, and I said, “You have got corn here, I rather suspect you have stolen it, and you must come with me”—he said, “Where are you going to take us to?”—the man that was on the other side of the stile came over and drew a large bludgeon from under his frock—the prisoner at that moment began to draw the sack from his shoulder and to draw a bludgeon from under the sack, which he had got to support the sack—he flourished the bludgeon, and said if I offered to take him he would take my life—I said I intended to take him if I lost the last drop of blood I had got—the prisoner made a violent blow at me with this bludgeon, which I produce—the blow did not take effect, as I fell back, and he turned himself round in striking—I defended myself from it as he was striking me—we had a desperate struggle—several blows were struck on both sides.

Q. Were there three men, or two? **A.** Only two—the second man was the man on the other side of the stile—I received an injury in the struggle—I succeeded in bringing the other man to the ground—they both escaped, and left me on the ground for dead—I laid there some time—I turned on my hands and knees, and at last got on my legs, and walked home, which was 200 or 300 yards—I returned to the place about ten minutes or a quarter of an hour afterwards, and found the bludgeon there, and the sack of wheat on the spot where I had had the scuffle—on the 6th of June, Taylor produced the prisoner to me—I have no doubt of him—he is one of the men who attacked me, I am positive.

Cross-examined by Mr. PRENDERGAST. **Q.** Did you know him before? **A.** Perfectly well by sight, but not by name—I knew where he lived—I gave information that he lived at Stanwell Moor—he was apprehended, from my information, by Sergeant Taylor, T 25—I cannot say how many houses there are on the moor—I did not know the exact spot, but I knew it was on the moor, and said he was a Stanwell-moor man—I live about a mile from the moor—I was unable to go to look for him—I went before a Magistrate, on the 6th, in a horse and cart—I described to sergeant Taylor where he lived on the moor, and gave him directions to apprehend him on the same day—I gave him a description of his person—I did not see Sergeant Taylor again that day—I saw him a day or two afterwards—he told me he had made every exertion on Stanwell-moor, and found a man answering the description had decamped—I described him as having speckled worsted stockings, cotton corded breeches, and a plush-sleeve waistcoat, with a fustian back, and sleeves, and a white hat—I did not tell him it was a plush waistcoat at the time—I gave him this description the same

day—I have often seen the prisoner without a frock, and at times with one—I know Mr. Fowler of Staines-moor—I believe the prisoner works for him, he has done so—I was armed that night—I have been in the army—I was within a yard or two of the prosecutor's gate when I found the corn—I went to call Mr. Stevens—I was well enough for that, but not till after I got refreshed—it was about three o'clock—the gate was shut—the prosecutor was in bed—I have the sack here—this is a sample of the wheat which I took last night out of the sack, which has been in my house ever since under lock and key—I carried it home that morning, and took it up to bed with me every night—there was rather more than a bushel and a half of it.

MR. CLARKSON. Q. You say you knew the prisoner by sight, and knew him to be a Stanwell-moor man? A. Yes—I could not point out the particular house in which he lived—I have been about six years in the army—I have been a policeman twelve months—I have known the prisoner for two months, and saw him three or four times a week—I had heard he worked for the prosecutor—my wife called a man to go for a doctor, and afterwards I communicated with the sergeant—I am under the doctor's care still—I did not go to the barn, as I was bleeding so.

SAMUEL STEVENS. I have a rick-yard and a barn close by it. On the 2nd of June I had eleven or twelve quarters of corn which I was going to clean for Uxbridge market—Shackell made a communication to me and showed me his bloody face and neck—the barn did not appear to have been opened by force, but by a false key—I missed some corn out of a heap—I cannot say exactly how much—I observed an impression on the heap, as if a sack had been filled upon it—it was very plain—here is a sample which I took out of the bulk, and here is another out of the sack which the policeman had—they agree—I believe the wheat produced by the policeman to have been part of the bulk in my barn.

Cross-examined by MR. PRENDERGAST. Q. What sort of wheat do you call this? A. Old Chetham—I should call it white wheat—I have not much of it at present—I am very nearly out of it—there is a good deal of the same wheat in the neighbourhood—other farmers may grow it for what I know—there is a good deal of it in Uxbridge market sometimes—it is the same kind as I have sown several years—this corn had not been put up in sacks—this sack is not my property.

COURT. Q. Have you any doubt about this being the same as your corn? A. I am positive it is the same.

ROBERT TAYLOR (*police-sergeant T 25.*) In consequence of hearing what had happened to the constable, I went to his house next morning, June 3rd—I saw him between eight and nine o'clock—he was in his own house, and hurt very much—he told me what had happened to him, and gave me a description of the persons from whom he had received the injury—I know Stanwell-moor well—I took the prisoner into custody on Saturday, the 6th of June, about eleven o'clock—I did not know where he lived without inquiring—I found him in bed at his own house, at Stanwell-moor—I had been to the house on Wednesday the 3rd, but could not find him then—I did not go between the 3rd and 6th—he seemed to be very much hurt, very pale, and seemed to be suffering pain as if he had been in some struggle or quarrel before—I told him he was suspected of being one of the persons that had attacked the policeman—he said he was not the man, he knew nothing of it—I said, “You must get up and go with me, and let the policeman see you; if you are not the man you will be

discharged"—I asked him where he had been since he had been away—he said at first he did not know where he had been—I said, "Why did you leave a good service?" (I had made inquiries about him of his master,) he said his wages did not keep him there, and he had been to try to get a better place—he is married, and his family were living in the house—he said he had come back that morning—I examined his head and found several wounds on it, which I should judge were recently made—a surgeon saw him.

Cross-examined. Q. Did you apprehend him in consequence of any thing the sergeant said to you? A. That, connected with other things; if he had not run away I do not think I should have apprehended him—he said he had been away—I do not know exactly when I had seen him before that night, I frequently saw him—I do not think I had seen him for a week before—the constable gave me a description of his dress, at least of one of the party—I wrote it down at the time, and have it here—(*reads, "one short stout man, high shoes, speckled worsted stockings, cotton cord breeches, and fustian sleeved waistcoat"*)—I call the prisoner a short stout man—I am five feet eleven inches, and he is about five feet seven or eight inches—I do not call that tall.

GUILTY.—Aged 44. Transported for Seven Years.

NEW COURT.—Wednesday, June 17th, 1840.

Fifth Jury, before Mr. Sergeant Arabin.

1606. ISABELLA STEVENS was indicted for a misdemeanor.

Messrs. ELLIS and BODKIN conducted the Prosecution.

JOHN MITCHELL. I am superintendent of the London and Brighton railway. On Sunday, the 17th of May, between eight and nine o'clock in the evening, the prisoner, whom I knew before, came to the New Coach-maker's Arms public-house, Long-acre, where I live—she asked for a quartern of gin, I served her, it came to two-pence; she gave me a half-crown, which I saw was counterfeit; I gave her change and she took the gin away—I marked the half-crown and put it in my waistcoat pocket, where I had no other money; on the 20th she came again for a half-quartern of gin—I told my wife to serve her—I saw her put a half-crown on the counter, I made a mark on it, then went out after her and gave her into custody, I gave both the half-crowns to the officer.

SARAH MITCHELL. I am wife of John Mitchell. On the 20th of May, between eight and nine o'clock in the evening, the prisoner came to the Coach-maker's Arms public-house for a half-quartern of gin, I served her; she put a half-crown on the counter, I gave her change; my husband came and took the half-crown up.

JESSE PICTON (*police-constable F. 98.*) On the 20th of May Mitchell gave me the prisoner into custody, and gave me these two half-crowns—I saw the prisoner searched, she had gin in this bottle, and one half-crown, two shillings, and four penny-pieces.

MR. JOHN FIELD. I am inspector of coin to the Mint; these half-crowns are both counterfeit in all respects.

Prisoner's Defence. I was not there on the Sunday night.

GUILTY.—Aged 19. Confined One Year.

1607. ELLEN CONNELL was indicted for a misdemeanor.

WILLIAM HENRY MORGAN. I am shopman to Mr. Butt, cheese-monger, Cow Cross-street. On the 31st of May the prisoner came and bought something which came to less than 4d., she offered me a counterfeit 4d. piece, I put it in the till, but had suspicion, and immediately after took it out—there was not another in the till—I had not left the till—I found it was bad—I immediately handed it to my master, and described the prisoner to him; on the Sunday after she came again and bought a piece of pork, which came to 9d., she gave me a sixpence and threepence, I immediately handed the sixpence to my master, he weighed it, it was discovered that the sixpence was bad—it was mentioned to her, and she cried very much and offered to fetch other money—she begged my master would not give her in charge—she was taken into custody.

Prisoner's Defence. I was not in your shop on the 31st—you said it was not your fault, but the policeman put you up to say that I gave you a 4d. piece, because I should come to a trial. *Witness.* It is false.

NATHANIEL BUTT. I keep the shop. On the Sunday before the prisoner was taken, I received from my shopman a 4d. piece, I kept it in my waistcoat pocket, separate from any other money I am sure—I gave the same to the officer—on Sunday, the 7th of June, I was in the shop; the prisoner came in, I weighed the pork, it came to 1s. 1½d.; I told Morgan to get a policeman—he had not time to count the money—he gave the sixpence to me, and put back the halfpence in the recess—I examined the sixpence and gave it to the officer.

MARY ANN REDMAN. I am the wife of a policeman. I was called to search the prisoner, and found on her 2s. 7d. in copper money.

THOMAS PHILLIPS (*police-constable G 85.*) I was called to take the prisoner, and received a sixpence and a fourpenny-piece of Mr. Butt—the prisoner gave me a false address—I afterwards found out her lodging—I went there and found a bag with some plaster of Paris in it.

MR. JOHN FIELD. These are both counterfeit.

Prisoner's Defence. My husband uses the plaster of Paris in the skin work.

GUILTY. Aged 23.—Confined One Year.

1608. JANE HOPKINS was indicted for a misdemeanor.

ELIZABETH THOMPSON. My husband keeps the Adam and Eve public-house, New-road, Paddington. On the 28th of May the prisoner came there between seven and eight o'clock for half a pint of ale, which came to 1½d.—she gave me a bad half-crown—I threw it in the till, where there were 2 shillings, and 3 sixpences, but no other half-crown—I gave her 2s. in change, and that left the half-crown and three sixpences in the till—she went away—I then immediately found the half-crown was bad—I put it on a recess, and afterwards gave it to the officer.

Prisoner. I never was in the house at all. *Witness.* You were.

GEORGE POPLÉ. I keep the Roebuck public-house at the corner of London-street, Tottenham Court-road. About twenty minutes before eight o'clock in the evening of the 28th of May, the prisoner came for a glass of spruce with a little rum in it, which came to 2d.—she gave me half-a-crown—I said, "This is bad, you must give me another"—she took another out of a piece of paper in her hand, and gave it me—I gave her change and the bad one—she went out—I made signs for my porter to watch her.

JAMES HARMAN. I am porter to Mr. Pople—I saw the prisoner utter this half-crown—after it was put down and returned to her I saw it was bad, and I followed her—I saw her seven or eight doors from my master's go up to two men—she communicated something to them and gave the child in her arms to one of them, put her hand in her pocket, took out something, and gave to one of them—they went on together—I went after a policeman and then saw the prisoner and one man in the street—the officer took them both—on the man was found nothing, and in the prisoner's hand a bad half-crown.

JOHN JAMES ALLEN (*police-constable E 159.*) Harman pointed out the prisoner and a man who was discharged at Mary-le-bone office—they were both standing together—I took them—I saw Cook take the half-crown from the prisoner's left hand, he gave it to me—I got another half-crown from Mrs. Thompson—the prisoner offered my brother constable some other good money, which she had in her right hand.

JOSEPH COOK (*police-constable E 56.*) I was with Allan when the prisoner was pointed out—I took her—she said, “I have got no bad money on me”—she said that before I said any thing—she then gave me three good half-crowns—I said I must see about that—I took her into a house and searched her—she gave me her pocket, and in that was another good half-crown—I then saw something in her hand—I seized her left hand, and with assistance I took the bad half-crown from her hand, and gave it to my brother officer—she had no change when I found her.

MR. JOHN FIELD. These are both counterfeit, and both cast in one mould.

GUILTY. Aged 22.—Confined One Year.

1609. FRANCIS GUYON was indicted for a misdemeanor.

MESSRS. ELLIS and BODKIN conducted the Prosecution.

SARAH GARTON. I am a widow and keep a tobacconist's shop in Faringdon-street. At the latter end of May the prisoner came for half an ounce of tobacco, which came to 2d.—he gave me a sixpence—I gave him 4d. in 'change—I put the sixpence in the till, but directly he was gone I looked into the till, and found it was bad—there was no other sixpence in the till—I then took it out, marked it, and put it into a paper—he came again on the 23rd of May, which was one week after—he asked for half an ounce of tobacco—I knew him again—he threw me down a sixpence—I looked at it, and found it was bad—I sent a girl for an officer—he heard that, and ran out of the shop—I gave these two sixpences to the officer—I am sure he is the man that came on both occasions—I saw him in custody about a week after.

JOHN SOARS. I am a baker, living in Shoe-lane. On the 5th of June the prisoner came and asked for a penny-worth of bread—he gave me a fourpenny piece—it was bad—I asked him where he had it—he said he took it at a public-house in Fleet-street—I asked him the sign—he said he did not know—I said he had better get it changed—he said he would—I said I would go with him—as soon as he got out he ran off and was taken by a policeman—I marked the fourpenny piece, and gave it to the policeman.

THOMAS BARNES (*City police-constable, No. 334.*) I took the prisoner on the 5th of June, as he was running away—I received these two bad sixpences from Mrs. Garton.

WILLIAM COURTNEY (*City police-constable, No. 327.*) I produce a four-penny-piece which I received from Mr. Soars.

MR. JOHN FIELD. These are all counterfeit.

GUILTY. Aged 19.—Confined One Year.

1610. JANE ANDERSON was indicted for a misdemeanor.

JAMES SEDGWICK SAUNDERS. I am clerk to Mr. Henly, a perfumer, in Tichbourne-street, St. James's. On the 21st of May, between seven and eight o'clock in the evening, the prisoner came for a sixpenny pot of pomatum, and gave me a half-crown, which I put into the till—there was no other there—I saw Cobham some time after—he gave me a bad half-crown—I gave it back to him—I got it from him on the following morning—I then marked it in the presence of the policeman, who was sent for.

Prisoner. Q. How can you swear to me? A. I well remember your person—I have not the slightest doubt of you.

AUGUSTUS FREDERICK COBHAM. I am shopman in the same place. On the 21st of May I went to the till, about a quarter or ten minutes to eight o'clock—I found two shillings, one sixpence, and a bad half-crown—I took the half-crown to Saunders—I got it back from him and put it into my own private drawer, and the next morning I was returning from my breakfast and saw the prisoner at the counter—a youth who was there was gone for some articles to serve her—I went and spoke to her, and she said the almond-oil was too dear, she would not have it, she would have a sixpenny pot of pomatum—I took it out, served her, she handed me a bad half-crown, I took it to Saunders, and then we sent for the master, who desired us to send for a policeman—I gave the two half-crowns to the officer.

JOHN JARVIS. I am a police-inspector. I took the prisoner on the 22nd—I produce the two counterfeit half-crowns.

MR. JOHN FIELD. These are both counterfeit, and both cast in the same mould.

GUILTY. Aged 18.—Confined One Year.

1611. JOHN CURRY was indicted for stealing, on the 27th of May, one pair of shoes, value 2s., the goods of James Gibson.

JAMES GIBSON. I am a boot and shoemaker, and live in Guildford-street, Russell-square. On the 27th of May, the prisoner and a bigger boy came and took these shoes from the handle of the bell on the door-post—the bigger boy took them and gave them to the prisoner—I went to the door and saw the prisoner walking down to the end of the street—I took him with them—these are them—(*looking at them*)—they are mine.

Prisoner's Defence. I was going home, a man gave me the shoes, and said, "Here is a pair of shoes for you"—directly I had got them the prosecutor came.

GUILTY.*** Aged 12.—Transported for Seven Years.—Convict Ship.

1612. ROBERT DURHAM was indicted for stealing, on the 21st of May, 1 coat, value 10s., the goods of Charles Yates.

CHARLES YATES. I am a plasterer. I left my coat in a building at Paddington, where I was at work on the 21st of May, at half-past one o'clock, I missed it about two o'clock—a boy told me something, and I went out, found the prisoner, who is a stranger, with my coat under his arm, and took him—this is my coat—(*looking at it*.)

DANIEL MULLCHEY. I was at work there and saw the prisoner take the coat—he walked away with it, and I told the witness.

Prisoner. Q. Did you see me take it out of the building? A. Yes.

Prisoner's Defence. I found it outside the building—I was not inside at all.

GUILTY.* Aged 51.—Transported for Seven Years.

1613. **RICHARD RYAN** was indicted for stealing, on the 29th of July, 1 watch, value 3*l.* 10*s.*; 2 seals, value 1*l.* 6*s.*; 1 watch-key, value 4*s.*; 1 split-ring, value 3*d.*; and 1 watch-ribbon, value 1*d.*, the goods of Jeremiah Lynch, from his person.

JEREMIAH LYNCH. I am a labourer. I was at the Inverness Arms public-house at the latter end of July last—I saw the prisoner in the tap-room in the morning—I had slept there that night—he asked me what o'clock it was—I took out my watch—he said, “I should like to have that watch, it is a handsome watch, I would give a sovereign for it”—I afterwards went to a friend's house, the prisoner followed me and my wife and two females—we afterwards went to another public-house—the prisoner sat on one side of me, and my wife and another woman on the other side—I was fatigued after a long journey, so I put my hand to my head, laid down and went to sleep—when I awoke, the prisoner and my watch were gone—I spoke about it—he was taken the next morning in the same public-house where I had met him first, but my watch was not found—he was remanded twice and then discharged—he was afterwards taken again, and my watch was found at the pawnbroker's—this is it—(*looking at it*)—the two seals were gold, but they are gone—I had had the watch nine or ten years—I am sure it is mine.

MICHAEL TWOMEY (*police-constable H 72.*) I took the prisoner on the 27th of May, on another charge, and found on him some duplicates, one of which was for a silver watch—I heard that nine months previous he had been taken for stealing a watch—I went to Greenwich and found the watch—this is the duplicate of it.

EDWARD CURTIS. I live at Mr. Nash's, a pawnbroker in London-street, Greenwich. On the 12th of August I took this watch in pledge, but I cannot say of whom—this is the duplicate that was given to the person who pawned it.

Prisoner's Defence. I found the ticket of the watch, and 5*s.* in a purse.

GUILTY. Aged 25.—Transported for Fifteen Years.

(There were two other indictments against the prisoner.)

1614. **SAMUEL JAMES KING** was indicted for stealing, on the 14th of May, 3 gowns, value 10*s.*; 2 shawls, value 6*s.*; 1 hat, value 3*s.*; 8 spoons, value 6*s.*; 2 live tame fowls, price 6*s.*; 1 box, value 1*s.*; 2 shirts, value 3*s.*; 1 pair of boots, value 4*s.*; and 1 coat, value 1*s.*, the goods of James King.

SUSAN KING. I am the wife of James King, a labourer at Hackney—the prisoner is my son. I went out at six o'clock in the morning on the 14th of May, leaving him at home—I was fetched home about eleven o'clock, and missed these articles from the bottom of the house—the door had been locked—the prisoner had called me back to lock the parlour door, which I did—I do not recollect what I did with the key—I might have left it on the back room table—some of the things are here—these gowns were in

my drawer—the prisoner has never done any thing before this—the duplicates were left at the house—the fowls were taken the day before these other things.

CHARLES HENRY LAWSON. I am a pawnbroker at Stratford—here are two gowns, two shawls, a petticoat, stays, boots, shirts, and two handkerchiefs which my employer took in, but does not know who from.

PHILIP CURTAIN. I live in the City-road. I bought these two fowls of the prisoner a few days before they were claimed.

JAMES RYAN (*police-constable N 209.*) I took the prisoner—I got the duplicates from his mother.

GUILTY. Aged 21.—*Recommended to mercy.*—Confined One Month ; the last Week Solitary.

1615. **ROBERT STEVENS** was indicted for stealing, on the 20th of May, 12lbs. weight of beef, value 7s. 6d., the goods of Henry Webb.

JOHN BRETT. I am eleven years old, and live with Henry Webb, a butcher in Church-street, Bethnal-green. On the 10th of May, about half-past seven o'clock in the evening, the prisoner, who was a stranger, came for a mutton-chop—he had a kind of a bag in his hand—I cut the chop, and while I was busy he went to the back of the shop—he gave me 6d., I gave him 2½d. change—he was walking out with the bag under his arm, and the policeman stopped him—there was 12½lbs. weight of beef found in the bag—it was my master's, and had been at the back of the shop, and I then missed it.

Cross-examined by MR. GARDE. Q. How do you know this was your master's? A. All the meat in the shop was my master's.

CHARLES POUND. I live opposite the prosecutor. I saw the prisoner in the shop—he went to the back part, took the beef, and the policeman took him.

GEORGE KING (*police-sergeant H 8.*) I took the prisoner about two yards from the door, in consequence of information—I took him into the shop, and found 3½lbs. weight of beef in his pocket, and in the bag, which he had under his arm, I found another piece, about 9lbs. weight—I found a silver watch on him, and 3s. 8½d.

HENRY WEBB. This beef was mine.

GUILTY. Aged 43.—Confined Three Months.

1616. **SARAH WRIGHT** was indicted for stealing, on the 20th of May, 1 watch, value 15s., the goods of John Henry Cook ; to which she pleaded

GUILTY. Aged 20.—Confined Six Months.

1617. **JOHN BROWN** was indicted for stealing, on the 25th of May, 1 sketch-book, value 3s. 6d., the goods of William Scoular, from his person ; to which he pleaded

GUILTY. Aged 49.—Confined Three Months.

1618. **WILLIAM THOMPSON** was indicted for stealing, on the 23rd of May, 8 handkerchiefs, value 14s., the goods of John Matthews and another : and that he had been before convicted of felony ; to which he pleaded

GUILTY. Aged 73.—Transported for Seven Years.

1619. **JAMES WHITE** was indicted for stealing, on the 22nd of May, 18 yards of silk, value 2l. ; 16 yards of printed calico, value 4s. 6d. ; 1 shawl, value 5s. ; and 1 veil, value 6d., the goods of Elizabeth Crawley ;

1 tablecloth, value 2s. ; 1 towel, value 1s. 6d. ; 1 waistcoat, value 3s. ; 1 flannel shirt, value 2s. ; 2 curtains, value 6d., and 1 stocking, value 6d. ; the goods of William Crawley.

JOHN GRAY (*police-sergeant C 14.*) On the 22nd of May, at a quarter to nine o'clock in the evening, I was at my own door, in New Cross-street, Leicester-square. I saw the prisoner pass me, in company with a person I knew—that was about seventy yards from the prosecutor's house—the prisoner was carrying something—I followed him, and asked him what he had got—he said, “Nothing,” and dropped these things at his feet—I took them, and said, “Where did you get them?”—he said he picked them up.

WILLIAM CRAWLEY. I live in Oxendon-street—part of this property is mine and part my sister's—it was taken from the front parlour of my house—I do not know how a person could get it—they must have got in by a false key, or some means—the door was all safe when we found out the robbery, which was about eleven o'clock at night.

ELIZABETH CRAWLEY. I am the prosecutor's sister. On the morning of the day of this robbery I had seen all this property safe.

GUILTY. Aged 19.—Transported for Seven Years.

1620. CHARLES BARNETT was indicted for stealing, on the 30th of May, 1 handkerchief, value 2s., the goods of Henry Barnes Sawbridge, from his person.

HENRY BARNES SAWBRIDGE. On the 30th of May, about a quarter before twelve o'clock in the day, I was in Hanover-square, walking with two ladies—one of them suddenly screamed—I turned, and saw a pocket-handkerchief on the ground—I saw the prisoner near me—he immediately ran away—I did not see any other person near me—I ran after him calling “Stop thief”—he was very soon caught—I never lost sight of him—he put up his hands in a supplicating posture, and said it was the first time, that he had a widowed mother, and gave his address—it was my handkerchief—(*examining one*)—this is it, it has my initials on it.

SAMUEL GOODCHILD (*police-constable A 36.*) I took the prisoner—he said he did do it, and that when one of the ladies screamed he dropped it—he had another handkerchief in his trowsers' pocket, which he could give no account of—he said it belonged to his brother.

Prisoner's Defence. I was going after a situation—I was running, and saw two ladies after you—then you took me—the only words I said to the policeman were, “Don't drag me in that manner, allow me to speak to the gentleman”—this is my brother's handkerchief.

GUILTY. Aged 21.—Confined Three Months.

1621. THOMAS HILLIARD was indicted for stealing, on the 22nd of May, 120lbs. weight of rope, value 1l., the goods of William Consett Wright.

MR. PAYNE conducted the Prosecution.

JOHN GEORGE WARDLE. I am a waterman, and live in Albion-street, Commercial-road. On the night of the 21st of May, I was keeping watch at Ratcliff-Cross-stairs—about twelve o'clock the prisoner came to our watch door, and asked if there was any lodging there—I said, “No”—(I had seen him about ten minutes before going in a direction to Narrow-street)—I told him to go his own lodging—he then went into Mr. Wright's craft, and I lost sight of him for about ten minutes, when I saw him again come up the causeway with a quantity of rope on his back—there was a

man behind him assisting him to carry the rope—I asked where he was going—he asked what was that to me—I said that was Mr. Wright's rope, and asked him where he had got it—he said he picked it up on the shore—he threw it down at my feet, and walked away—I sent a man for the policeman—I followed the prisoner, till I got the assistance of the police—I gave him in charge, when he had got about one hundred yards off—the other man got away.

JAMES PEARCE (*police-constable K 178.*) I was fetched, and took the prisoner back to the rope—he said he had picked it up on the causeway—I took him to the station-house, and found on him this knife, which smelt very strong of tar, and there was tar on the blade of it.

JOHN CHARLES WHITE. I am lighterman to Mr. William Conssett Wright, a coal merchant, at Ratcliff-cross. I know this rope—it was used as headfasts to Mr. Wright's barges—here is some of my splicing on them—they were fastened to the barges, and must have been untied or cut—they appear to have been cut—I went in consequence of what I heard to the wharf, and missed the headfasts—I had seen them safe at seven o'clock on the evening before—I have not the least doubt of these being them.

JAMES LONG. I saw the prisoner on Mr. Wright's craft—I saw him afterwards with the rope—he threw it down.

Prisoner's Defence. A man said he had got a bundle of rope, if I would help him to carry it he would give me 1s. 6d.—he picked up the rope, and just as I got into the street the watchman stopped me.

GUILTY.** Aged 42.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1622. THOMAS SPOONER was indicted for stealing, on the 25th of May, 1 copper, value 12s., the goods of James Richard Townsend, and fixed to a certain building.

JAMES RICHARD TOWNSEND. I am a carman, and live in Great Carlisle-street, Mary-le-bone. I had a copper, which I saw safe on the morning of the 25th of May, and in the evening it was gone—it had been fixed in the brick-work—it was afterwards shown to me by the policeman—I have not a doubt that it was mine.

RICHARD LAWRENCE. I live with the prosecutor. On the 25th of May, I saw the prisoner, between four and five o'clock, in my master's wash-house, standing against the copper—he was a stranger—I thought he had come to some of the people who lived up stairs—he said, "Halloo," to me, and I to him—then he went out—I did not see him again till a person came in the evening, and told us he had gone with the copper—I went out, and saw the prisoner going into a marine-store shop, in Bell-street—I went and told the policeman.

BENJAMIN PRIDDLE. I live in Carlisle-street. On the 25th of May, I saw a man come out of the prosecutor's passage with a copper on his head—I went in and asked about it—Lawrence and I went after the man—I did not see his face.

DANIEL SHELVEY (*police-constable D 102.*) I went to the marine-store shop in Bell-street, and found the prisoner with the copper on his head—I asked him where he got it—he said he had bought it—I asked where—he said that was his business—I took him to Mr. Townsend's, and saw the copper had been taken out of the brick-work—I fitted it to the place the next morning—it fitted exactly—he was not sober, but could walk very well.

Prisoner's Defence. I left my home to go to work, but I met two or three old shop-mates, and we went to the Champion public-house, where I stopped till half-past eight o'clock, or nine, or later—I got drunk—I was told I bought the copper, but whether I did or not, I do not know.

GUILTY.* Aged 26.—Transported for Seven Years.

1623. **JOSEPH SMITH** was indicted for stealing, on the 25th of May, 1 handkerchief, value 5s., the goods of James Honey, from his person.

JAMES HONEY. I am a woollen-draper. On the 25th of May, I was in St. James's Park, about five minutes past one o'clock, as they were firing the guns, and felt a tug at my pocket—I turned immediately round—the prisoner had hold of my handkerchief, but it was not quite out of my pocket—I seized hold of him with one hand, and my handkerchief with the other—I called the police, and gave him in charge—the corner of the handkerchief was still in my pocket.

Cross-examined by MR. JONES. Q. When you laid hold of him it came quite out? A. No, it did not—when I called the police I pulled it out, and gave it him.

JAMES CALDECOTT. I am a carpenter. I was in St. James's Park—I saw part of the prosecutor's handkerchief in the prisoner's hand.

NOT GUILTY.

1624. **JOHN SMITH** and **ROBERT WATERS** were indicted for stealing, on the 25th of May, 1 handkerchief, value 2d., the goods of William Stimpson Rice, from his person.

WILLIAM STIMPSON RICE. On the 25th of May I was in St. James's Park, about ten minutes past one o'clock. An officer spoke to me, and I saw my handkerchief in the prisoner Waters's jacket—Smith was there, but I did not see him have the handkerchief—this is it—(looking at one.)

WILLIAM CARR (police-constable H. 109.) I was in the Park in plain clothes—I watched the prisoners, and saw Smith take the handkerchief from the prosecutor's pocket and give it to Waters—I told the prosecutor—I took Waters with it, and pointed Smith out to Argent.

WILLIAM ARGENT (police-constable H. 126.) I was in the Park—I watched the prisoners for four or five minutes—I saw Smith make three or four attempts before he took this handkerchief, and the other prisoner was with him—I saw the act done.

SMITH—GUILTY.† Aged 10.—Transported for Ten Years.—Convict Ship.

WATERS—GUILTY. Aged 9.—Confined One Month.

1625. **WILLIAM THOMAS** and **RICHARD LEWIS** were indicted for stealing, on the 25th of May, 1 purse, value 1s., the goods of a man unknown, from his person.

GEORGE TREW (police-constable H. 125.) On the 25th of May I was in St. James's Park, in plain clothes—I saw the prisoners there—I knew them, and watched them—I saw Thomas attempt two or three gentlemen's pockets—he put his hand into one and drew a handkerchief partly out—he then went and took this purse, which I now produce, from a gentleman's pocket, and gave it to Lewis—they ran across the park to Whitehall-place, —I and Pidgeon followed and took them—I saw Lewis in Whitehall-place give the purse back again to Thomas—I took it out of Thomas's hand—I

do not know who the gentleman was who lost the purse—it was just at the time the cannons were firing—I lost him in a minute.

HENRY PIDGEON (*police-constable H 28.*) I was in the Park. I saw Thomas attempt several gentlemen's pockets—I then saw him take this purse out of a gentleman's pocket and pass it to the other prisoner—I pursued them across the park—we took them in Whitehall—Thomas had the purse then—I saw Lewis return it to him.

Thomas's Defence. I bought the purse two months ago, and had it to put my money in.

Lewis's Defence. I saw this man about three weeks ago selling oranges—I bought three of him—he took out this purse and put the money in.

THOMAS—GUILTY.†	Aged 17.	} Transported for Ten Years.—
LEWIS—GUILTY.†	Aged 15.	
		} Convict Ship.

1626. MARY OSBORNE was indicted for stealing, on the 1st of June, 4 candlesticks, value 14s.; 1 cruet, value 1s.; and 1 teapot, value 1s.; the goods of William Samuel Burton and another, her masters.

MR. BODKIN conducted the Prosecution.

WILLIAM SAMUEL BURTON. I have one partner—we are furnishing ironmongers, and live in Wells-street, Oxford-street. The prisoner came as a char-woman every Monday morning for several years—we have lost a great number of articles, and suspected a servant—we at last desired Smart to conceal himself, which he did early in the morning of the 1st of June—he afterwards made a communication—I desired him to fetch a policeman, and to follow the prisoner—in about half an hour I saw her in custody in our kitchen—the officer produced to me two pairs of candlesticks, a tin teapot, and a glass vinegar-cruet—she said, “Oh, for God's sake, forgive me;” and said it was the first time—these are the articles produced—(*looking at them*)—they are worth 16s.

Cross-examined by MR. ROE. Q. How many partners have you? A. I have one, that is all—there is a mark on the papers that are round these articles—when candlesticks are sent out of our shop we generally send them without the paper—this paper contains the private mark—the prisoner has been four years or more in our service—she has bought four or five articles of me—I have, perhaps, a dozen pairs like these—there are great many like these come out of the country.

JOHN SMART. I am shopman to the prosecutor. I was desired to conceal myself in the warehouse on the 1st of June, and saw the prisoner come into that warehouse where she had no business whatever—I watched her, and saw her take these two pairs of candlesticks off a shelf—she then went out of the warehouse, and was for about a quarter of an hour cleaning the stairs which lead down to the warehouse—I informed Mr. Burton—he directed me, and I got a policeman—I saw the prisoner coming out of the house with two bundles—I pointed her out to the officer—he brought her back to the house—I was in the kitchen when she was brought down—she said, “Oh, for God's sake, don't let these things be found on me.”—I said “I have nothing to do with it”—these are the candlesticks that she took from the shelf.

Cross-examined. Q. Where were you? A. On a small bench under the window—it was impossible for her to see me—I know these candlesticks by the numbers—she took one pair at a time, and as she took the first pair one knocked against the other—I know them by the piles.

WILLIAM HOUSEMAN (*police-constable E 102.*) I was called, and the prisoner was pointed out to me—she had two bundles—I went up to her, and asked her what she had got there—she said, nothing but what was her own, it was some dirty linen—I said she was my prisoner, and she must go with me—she said, “For God’s sake don’t; I will give you any thing rather than you should take me”—I took her to the prosecutor’s, and found one pair of candlesticks and a piece of soap in one bundle, and a pair of candlesticks and a teapot in the other—during that time she dropped something behind her, which I found to be this cruet—she said, “For God’s sake, Mr. Burton, don’t go against me for these things; I will pay you double and treble the value of them”—I took her to the station-house—I found on her 9*l.* in gold in one bag, and more than 2*l.* in silver in another bag—I then went to her lodging, and found a great number of new articles of ironmongery.

MR. BURTON. I saw the articles found at her lodging—they were high-priced articles, and totally unfit for a person like her—I have lost a great amount of property—about 9*l.* worth were found at her lodging.

(Joseph Hunt, and William Hibbert, of Rochester-row; Sarah Dixon, Sarah Green, Sarah Jones, and Mary Stagnall, of Hammersmith, gave the prisoner a good character.)

GUILTY. Aged 45.—Transported for Seven Years.

1627. **JANE CLARKE** was indicted for stealing, on the 23rd of May, 3 handkerchiefs, value 12*s.*, the goods of Charlotte Selina Wilson and another.

HENRY WILLIAMS. I live with Mrs. Charlotte Selina Wilson and another, linen-draper, in St. John-street. On the 23rd of May the prisoner came for some ribbon, which I sold her—I suspected she had some property, and when she went out I followed her—she saw that she was discovered when she got two doors from the house—she returned back, and returned these three handkerchiefs—they are my employers’.

Cross-examined by MR. PHILLIPS. Q. Did you say before the Magistrate that she discovered you following her? A. Yes, I think I did—I cannot swear it—I do not remember it—she said that it was done unintentionally, and gave my fellow-shopman the handkerchiefs.

NOT GUILTY.

1628. **JAMES SMITH** and **WILLIAM HUNT** were indicted for stealing, on the 23rd of May, 1 ham, value 21*s.*; 3½*lbs.* of bacon, value 12*s.*; and 1 tongue, value 12*s.*; the goods of Henry John Viscount Palmerston.

GEORGE BROOK (*police-constable C 67.*) On Sunday morning, the 23rd of May, I was in Carlton-terrace, Pall Mall—I heard footsteps in Lord Palmerston’s area—I stopped, and saw the two prisoners there—Smith had the ham, and Hunt had the two pieces of bacon—I called out, and they dropped the articles—I sprang my rattle—two officers came up—we went into the area, and took Smith in a door-way, and Hunt in a dust-hole—I did not see that any bars had been wrenched—the lattice-work of the larder was broken, and the window slipped down sufficiently for a person to enter.

Hunt. You say you saw us with the things. *Witness.* Yes—you secreted the bacon under some hay when you ran down again.

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CHARLES HUNT (*police-constable C 34.*) I was called by the springing of the rattle—I went down the area, and found Smith in a passage—he was eating something—by the side of him was the tongue, and in his pocket a piece of fat—the other officer came down, and fetched Hunt out of the dust-hole—the larder had been broken open.

PETER DUETEL. I am cook in the family of Lord Henry John Viscount Palmerston ; he is an Irish peer. His larder was all safe the night before this, and the lattice-work was safe—I saw it after the officer had taken the prisoner—it was then broken—I saw the ham and other things—I believe they were what I had left in the larder.

Hunt's Defence. I was going past with this man ; we saw these things in the area ; we got over and got them ; then we saw the policeman, and put them down.

SMITH—GUILTY. Aged 40. }	Transported for Seven Years.
HUNT—GUILTY. Aged 21. }	

OLD COURT.—*Thursday, June 18th, 1840.*

Second Jury, before Lord Chief Justice Tindal.

1629. FRANCOIS BENJAMIN COURVOISIER was indicted for the wilful murder of William Russell, Esq., commonly called Lord William Russell.

MESSRS. ADOLPHUS, BODKIN, and CHAMBERS conducted the Prosecution.

SARAH MANSER. I was in the employment of the late Lord William Russell, as housemaid, for three years—he resided at No. 14, Norfolk-street, Park-lane—a cook and valet were the only other servants—the prisoner was the valet—the cook had been two years and nine months in his lordship's service—those were all the in-door servants his lordship kept—he had also a coachman and groom who did not live in the house—his lordship was a widower, and lived alone. On Tuesday morning, the 5th of May, I saw his lordship a little before nine o'clock—he came down before breakfast—he went out at one o'clock—the prisoner had been in attendance on him all the morning—after his lordship had gone out, the prisoner said Lord Russell had given him five messages to attend to, and he was fearful he should forget some of them—he said one of them was to send the carriage to fetch his lordship from Brooks's at five o'clock—he asked me what Brooks's was—I told him it was a club—the cook, the prisoner, and I dined together that day a little after one o'clock, the usual hour—after dinner the prisoner went out on the messages he had been entrusted with—he returned a little before five o'clock alone—he told me he should go and get his lordship's things out to dress—soon after he returned, the upholsterer's man came to the house, that was about five o'clock—he was in the house about a quarter of an hour—I saw him leave the house—he went to tighten the pull on the bell of his lordship's bedroom, to tighten the handle—the prisoner went up stairs with the upholsterer's man—while they were up stairs the servant's bell rang at the area gate—it was a man named Carr, an acquaintance of the prisoner's—I had seen him once before, about a fortnight before—he had then called to see the prisoner—Carr came down the area steps into the kitchen—he remained till about six o'clock—he took tea with us in the kitchen—the prisoner, the cook, myself, and Carr took tea—while we were at tea the

coachman came in by the area steps—on his coming down something was said about the carriage not having been sent for his lordship—the prisoner said he had forgotten to order it, and he should tell his lordship that he had ordered it at half-past five o'clock—I told him he had better tell his lordship the truth, and his lordship would forgive him—he said, "No," he should tell his lordship half-past five o'clock ; his lordship was very forgetful, and must pay for his forgetfulness—the coachman upon that left the house—after tea was over the prisoner went into his own pantry with Carr—(*looking at a model of the premises*)—this is the kitchen in which we took tea, and this adjoining room is the butler's pantry, where the prisoner went with Carr—they were there about half-an-hour—Lord Russell soon after returned in a hackney cab, about twenty minutes to six o'clock—I went to the pantry door and said, "Courvoisier, his lordship has been obliged to come home in a cab"—he then went up and let his lordship in—he went into the dining-room, which is on the ground-floor, immediately over the kitchen—his lordship soon after rang the bell, the prisoner went up, and afterwards came down with a letter in his hand—he told me he was going to take it to the stable by Lord Russell's direction—he then went out, and Carr with him—I saw nothing more of Carr—the prisoner was not absent more than five or ten minutes, about as long as it would take him to go to the stable—he returned down the area steps—he told me in the pantry that his lordship seemed angry when he first came in, but he got quite good-tempered after—the prisoner brought in a dog of his lordship's when he came from the stable—Lord Russell then went out with his dog for a walk, as it was his custom to do every day—he returned about half-past six o'clock—the prisoner was soon after employed in making arrangements for Lord Russell's dinner—seven o'clock was the dinner hour—about seven o'clock a bell-hanger came to fasten the handle of the door of Lord Russell's room—the prisoner requested me to go up with that workman, and I did so—he was not in the house more than five or ten minutes—I did not go down stairs with him—he went out by the area—he mended the handle of the door—Lord Russell dined at home alone in the dining-room on the ground-floor—he was waited upon by the prisoner—he afterwards went up into the back drawing-room—he used to go up there to write—I left him there when I went to bed—he did not come down again to my knowledge—the coachman came in a little before nine o'clock to fetch the dog—I saw nothing more of the coachman that evening—the prisoner and I supped together that evening, a little before nine o'clock—the cook had gone out—during supper the prisoner and I had some conversation about change of servants, about a new cook coming into the house—the cook was going away, and a new cook expected—a friend of mine had applied for the place—the prisoner said, if his lordship did not take that friend he should not recommend any one himself—another person had applied—he said he wished he had not come into his lordship's service, as he did not like it so well as he thought he should—nothing else passed—nothing was said about Richmond that evening—on the 22nd of April, the day Lord Russell came to London, the prisoner said his lordship had been very cross and peevish, as they had changed his room three times while he was stopping at the Castle at Richmond—I told him that must have been the reason that his lordship was angry—he said his lordship had lost a locket while they were at Richmond—he said he did not know how it was lost,

he could not find it—he said he did not know how the late valet could have stopped so long with his lordship; he did not think his temper would allow him to stop so long—some time after he said he must write to the porter at Richmond about the locket—he did not say what porter—it was not many days before the 5th of May that he said that—I think it was about between the 22nd of April and the 5th of May—I never heard him say any thing after that about the locket—on the evening in question the cook returned soon after ten o'clock—the prisoner let her in—she came in at the front-door—after the cook came in the prisoner went out to fetch her a pint of porter—he went out by the area gate—he was only gone a few minutes—there is a public-house close by—when he returned with the porter I do not know whether he locked the area gate or not—I did not see him bring in any thing but the porter—he made no observation about it—the area-gate was generally kept unlocked in the day—it was either the prisoner's or the cook's duty to fasten it—the key used to hang on a nail in the kitchen—I do not remember to have seen the key in the kitchen after he came in with the porter—I left the kitchen a few minutes after ten o'clock to go to bed—it might be ten minutes or a quarter of an hour after—I slept in the front-room, third-floor, immediately over the room in which Lord Russell slept—the cook slept in the same room—we slept in two separate beds—the room in which we slept had a lumber-room taken off from it—my bed was against the window, and the cook's against the door—I should have to pass the cook's bed in going to or returning from mine—it was my duty before I went to bed to light a fire in Lord Russell's bed-room—I did so that night—after lighting it I went up to my own bed-room—there is a door at the foot of the stairs leading from the landing by Lord Russell's door to the room where I and the cook slept—the prisoner slept in the back-room, third-floor, next to ours—every thing appeared to me in the usual state in Lord Russell's room when I lighted the fire, the same as on other nights—the room immediately joining Lord Russell's bed-room was not used—it is a sort of lumber-room—there is a door from that room leading into Lord Russell's room—the door which opened from the landing had a spring on it which caused it to close of itself—the opening and closing of that door made no noise, without it was shut hard—the door at the foot of the stairs leading up to our room shut easily—the door of Lord Russell's bed-room was covered with baize—the door at the foot of the stairs had a common latch, and had no covering—that door was sometimes closed at night, and sometimes left open—the cook came up stairs about a quarter of an hour or twenty minutes after me—I was in bed when she came up—she went to bed.

Q. Did you, or the cook to your knowledge leave that bed-room any more that night? A. No, I heard no noise, nor was I disturbed by any thing in the course of the night—it would be the prisoner's duty to remain up below till his lordship went to bed—the fire was left burning in the kitchen, and a supply of coals left—the cook used to attend to the fire—at the time I went to bed Lord Russell was in the back drawing-room—I saw a light in the back drawing-room as I went up stairs, and a little before that I heard the back drawing-room bell ring—I awoke about half-past six o'clock next morning—the cook was then in bed asleep—half-past six o'clock was about the time I usually got up—as I was going down stairs from my own room I knocked at the prisoner's bed-room door—I was accustomed to do that—I did not hear any answer given to my knock—I found the door at the foot of the attic stairs slightly open—I noticed the warming-pan on the landing

adjoining Lord Russell's room—it was lying on the landing with the handle nearest to the bed-room door—it laid across the door that would go into the back-room which was not used—you would have to step over the warming-pan to get into the back-room.

Q. Did it leave the passage to and from Lord Russell's room uninterrupted? A. Yes—it was the prisoner's duty to warm his lordship's bed every night—the warming-pan was generally taken down into the kitchen afterwards—during the five weeks the prisoner was in the service the bed had been warmed every night when his lordship was in town—once before the warming-pan had been left on the landing—I spoke to him about it, and told him it was not the proper place to leave it—I do not remember how long before the 5th of May that was—I think it was before Lord Russell went to Richmond—I left it there on this occasion, and went into the back-room adjoining his lordship's bed-room—I was not in that room a moment—I went in there for my broom—I did not observe whether the door between that and Lord Russell's room was closed or not—I then went down stairs into the back drawing-room, where I had left his lordship the night before—I noticed his lordship's writingdesk turned round—it is what is called a Davenport-desk, with a sloping top which lifts up—four drawers were open, and the top jammed up with papers—I observed his lordship's bunch of keys and several of his papers lying on the hearth-rug—I noticed a screw-driver lying on his lordship's writing chair—I had seen that in the butler's pantry a few days before, in a bottom cupboard next the fire, in a little tool-box—I had seen it there two or three days before—the tool-box is one that the late valet had—it belonged to the place—I did not notice any thing in the front drawing-room—I opened the front drawing-room shutters—I then went down stairs, and into this passage—(*pointing it out on the model*)—when I got into the passage, I saw a number of things lying behind the street-door, which was shut—I went up to the door—it had no fastening but the latch—any body from the outside could open it with a latch-key—there were two bolts to the door, top and bottom, a double lock, and a chain, besides the latch.

Q. What did you first notice when you came down? A. I saw a number of things lying against the door—I was then at the bottom of the stairs—I then went up to the door and noticed his lordship's large blue cloak—that was part of the number of things—it was not lying very close to the door—a little distance from it, was his lordship's opera-glass, a little trinket box lying on the top, and a number of things tied up in a napkin, which I did not examine at that time,—that was lying a little nearer the door than the cloak—the cloak was folded up very neatly—I did not at that time notice any other article—I examined the things after the police came into the house—there was his lordship's gold pencil-case, a gold tooth-pick and case—the pencil-case was in the folds of the napkin, and the tooth-pick-case also—there was also a silver sugar-dredger, a little silver caddy-spoon, a silver top of a salt-dredger, a pair of his lordship's spectacles, tipped with silver, a little cayenne spoon, a top of a silver dish-cover, and the cook's silver thimble—I knew the napkin to be the same that I had given out on the Monday for his lordship's dinner—I had seen it on the Tuesday, just before the prisoner went to lay the cloth in the pantry—I asked the prisoner if he wanted a clean one—he said no, he would make it do twice.

Q. Where were these things usually kept? A. The cloak was kept in the dining-room, on the last chair against the window—the opera-glass in his

lordship's bed-room, on the shelf over the fire-place, the little trinket-case, to the best of my belief, was kept in his dressing-case, but I am not certain; the gold pencil-case and tooth-pick his lordship generally carried about with him, and generally put them on a small table in his bed-room at night—he had three pairs of spectacles—I do not know where he kept them—the silver dredger was kept in the cupboard next to the fire in the pantry, and the caddy-spoon, and silver top of the cover—the dish cover was kept in a cupboard in the sideboard in the dining-room—the other part of the dish was also kept there—the prisoner had the key of that cupboard—I do not know whether it was locked or not—when I went up to the street-door I did not examine it, but just looked at it—I set the dining-room door open and saw a number of things lying on the floor—the shutters were closed, and I set the door open to give me light, as I felt alarmed seeing those things, and then I went and opened the shutters—after I had opened the shutters, I saw the candlesticks—I do not know whether they were plated or silver—some were plated and some silver—the bottom of the dish-cover and some sugar was on the floor—all the drawers and cupboard doors were open—I felt dreadfully alarmed, and ran up stairs to tell the cook—I found her in bed—I said something to her—she made me an answer—in consequence of what she said I went to the door of the prisoner's room—I said, “*Courvoisier*, do you know of any thing being the matter last night?”—he said, “No”—his room door was shut—it was opened instantly by him.

Q. How long elapsed between your first knocking at the door to awake him, and your going and knocking and speaking to him? A. I should say ten minutes—when he opened the door he was dressed all but his coat—he used to wash in the pantry below—he was dressed in the usual way that morning, except his coat—he used to put his coat on before he came down—I did not notice any thing but his waistcoat—that was the same he generally wore—he had his shoes on—sometimes I have seen him come down without shoes, and sometimes with them—he generally came down stairs dressed—on his opening the door, I said, “Do you know what has been the matter last night?”—he said, “No”—I said, “All your silver and things are about”—he looked very pale and agitated—he did not make me any answer—he came out of his room, and put his coat on as he was going down the attic stairs—he went down instantly, I with him—he went down first—he took the warming-pan down in his hand to the dining-room—it was my custom to call the prisoner of a morning—he was never so short a time dressing as that morning—he was sometimes half-an-hour, sometimes three-quarters, and sometimes an hour—the first room he went into was the dining room, and there he left the warming-pan—I did not hear him say any thing then—he then went down stairs into his own pantry—there is a door near the pantry which opens into the back area—I did not notice whether that was open or shut—he went into his pantry—I followed him—there is a cupboard there and drawers, they were all open—he made up to the drawers first, and said, “My God, some one has been robbing us”—I said, “Let us go up stairs”—we both went up stairs, I think as far as the passage, and then I said, “For God's sake let us go and see wher his lordship is”—we went up stairs—he went first—I followed him close behind—he went into his lordship's bed-room by the cloth door—the door closed upon me, but I had the handle in my hand, and went in immediately after—when you go in at the door there are three windows fronting the street opposite the door—the head of the bed is against the wall on the right

hand as you go in—when I went in, the prisoner was opening the shutters of the middle window—he would have to pass the foot of the bed to do that—I went about half way to the middle of the bed, at the foot of the bed, and saw blood on the pillow—before I noticed the blood, I said, “My lord, my lord”—the prisoner said, “Here he is,” or “There he is,” I am not certain which were the words—I cannot say whether that was before or after I saw the blood on the pillow—on seeing the blood I screamed and ran out of the room—there were hangings to the bed—it was a four-post bedstead—the curtains were closed on the side next the door, and about half-way at the foot, the same as I had left them over night—I left the prisoner in the room, and I think I ran part of the way up the attic stairs, and then I turned round, and ran down into the street.

Q. Had you any object in going up the attic stairs? A. I was going to my fellow-servant the cook, when I thought I would give an alarm out in the street, and my screams awoke her—I left the house by the street door, and went over to No. 23, Mr. Latham’s, and rang the bell—it is nearly opposite—finding they did not come instantly, I rang the bell at No. 22, Mr. Lloyd’s, and the footman came up the area steps immediately—I do not know his name—Young, Mr. Latham’s servant, came out while I was standing at the door—I told him what had occurred—I had left the front door of the house open when I ran out—I was not gone many minutes, I merely crossed the street, rang these two bells, and came back again—when I came back to the house I think I met the cook at the bottom of the stairs in the passage—I am not positive—I then went into the dining-room—I do not know whether she followed me or not—at that time no stranger had come into the house—when I went into the dining-room I found the prisoner sitting on a chair in the act of writing—he had a pen in his hand and a small piece of paper lying on a large book—he appeared to be writing on that small piece of paper—I said, “What the devil do you sit here for, why don’t you go out and see for some one, or a doctor?” he said, “I must write to Mr. Russell”—he did not continue writing—he only wrote about two words—I said, “Some one must go for Mr. Russell”—I knew him to mean the son of Lord William Russell—he lived at No. 9, Cheshunt-place, Belgrave-square—on my saying that, the prisoner got up and came to the street-door—a sort of labouring man was going past, and the prisoner beckoned to him—I told him not to call such a man as that, and the man went on about his business—the coachman came a few minutes after, and Young, Mr. Latham’s servant, about the same time—I think the coachman was in the house first—the coachman and Young went up stairs—I am not sure whether I went up with them, I am not positive sure—I do not know what I did at that moment—I think I did—I think the cook went to the bed-room door—I do not know where the prisoner was—I heard Young say something about fetching a doctor—I was on the stairs—I went down and was going to send some one for a doctor, when the coachman ran for Mr. Elsgood, a surgeon in the neighbourhood—the police arrived a very few minutes after that—I went up stairs when the police arrived, into the bed-room—when I went in I saw his lordship’s face at that time, and I saw a quantity of blood—I was in the habit of making the bed—his lordship usually laid on the side next the window—there were two pillows—they were usually put side by side, as if for two persons—the pillows were in that state when I saw them that morning—his lordship laid on his right side with his face towards the window—he was lying with his head on the pil-

low, nearest the window, and the other pillow was lying behind him—it was on the pillow next the window, on which I first saw the blood when I went into the room with the prisoner—when I went up with the police I did not notice whether there was blood on the other pillow—there was a dressing table in the room—it is the one on which Lord Russell used to put his pencil-case and tooth-pick—it had a white cloth on it—he generally used to leave his rings, which he wore daily, on the table—they were five—I had frequently seen them there of a morning—his lordship would frequently go down to breakfast and leave them there—there were no rings or tooth-pick, or pencil-case there then—they were all gone—there was a purse there—I took it up—it was empty—the police then took possession of the house, and have remained in it to the present time.

Q. Have you ever had conversation with the prisoner on the subject of money? *A.* Yes—the last time was on the Tuesday morning, the 5th—he said he had no money at home, he never took any out with him, and he had no money in the bank—I do not exactly remember what led to that conversation—he afterwards said he had 8*l.* some odd shillings in the bank—that was on the same day, in the same conversation—when he first said he had no money in the bank I did not make any observation—he said all the money he had then was 5*l.*; when that was gone he must ask his lordship for some more, and that he had 8*l.* owing him on the books against his lordship—nothing passed between the time of his saying he had no money in the bank and his saying that he had money in the bank—the cook was present.

Q. Do you remember whether any thing passed between you, after having first said he had no money, and then saying he had? *A.* I said to him, “Have you spent all that money I saw you take out?”—he said, “Yes”—I do not know how that conversation began—it was at breakfast—I had seen him take some sovereigns out of his box when he came up into his bed-room, and I was in my bed-room, and he had some sovereigns in his hand, which he put into his waistcoat pocket—I cannot say whether this was on Monday or Tuesday—that is what I meant by asking him what he had done with the money I had seen him take out—(I do not know how many there were)—he said he had, for he had paid a tailor’s bill—this was on the Tuesday—it was his own tailor’s bill.

Q. Which was mentioned first, having money in the bank, or paying his tailor’s bill? *A.* Having money in the bank was mentioned first—I asked him what bank—he said in St. Martin’s-lane—I believe there is a Savings’ bank there—I told him that was the best bank he could put it in—I do not think he said any thing more at that time—he said he was not so well off as when he first came to England—I think he said that before that time—he said it once before, and he said it again at tea time, when Carr was there on the Tuesday evening—he said on the Tuesday morning that he had but 5*l.*

COURT. *Q.* Did he say where the 5*l.* was? *A.* No; he said he had but 5*l.*

MR. BODKIN. *Q.* Can you tell us whether he said he had but 5*l.* before or after he said he had the 8*l.* odd in the bank? *A.* I think it was before he said he had the 8*l.* in the bank—I never saw him in possession of any money of his own, but the sovereigns which I have mentioned—I never saw him with any Bank-note.

Q. Did he ever speak to you, or in your hearing, on the subject of

Lord William Russell's property? *A.* Yes, on two occasions, I heard speak of that—the first occasion was before his lordship went to Richmond—he said *Old Billy* was a *rum old chap*, and if he had his money he would not remain long in England—I said his lordship was not a very rich man—he said, “Ah, *Old Billy* has money, and if I had it I would not remain long in England”—the next occasion was before the Tuesday, but I do not know how long—it was after he returned from Richmond—that was on the same subject—he said the same words as before.

Q. Do you mean to the same effect, or the same words? *A.* The same words—I was alone with the prisoner at supper the night before the murder—I had a glass of ale—he offered me a glass of something, which I tasted, but did not drink—he drank the same ale I did—in the course of the day on the 6th, I asked the prisoner if he heard me knock at his door—he said he thought he would begin to dress—he did not say whether he heard me or not—I have frequently seen the prisoner in his lordship's bed-room.

Q. Did you notice any thing particular in his conduct at any time? *A.* Yes—I did several times—I noticed that he was looking into all his lordship's property, and every thing that he could—I asked him what he wanted in the rooms, and he told me he was looking after something—he has not told me what—this was before he went to Richmond—I cannot mention any article in particular, which he appeared to be looking at—on one occasion I noticed that he had his lordship's dressing-case down in his pantry.

Q. Would it be his duty to have it down there to clean it or any thing? *A.* I never knew the other valet to have it down—I cannot tell any article that he was looking at when he was in his lordship's bed-room, because his lordship used to carry the keys, and I never knew his lordship to leave any thing unlocked in the bed-room, except his dressing-case—it was not only in one room that I saw him looking, but every room—I do not know exactly what property his lordship had—one day his lordship left his cash-box unlocked—it was the day his lordship went to Richmond—it was kept in his lordship's bed-room, by the side of the bed—it was a little box his lordship always called his cash-box—it was covered with leather—the prisoner brought it down, and said it was unlocked—his lordship was gone out for a walk at that time—the prisoner brought it down into the dining-room, because his lordship was going to Richmond, and he always took it with him—his lordship burnt a rushlight at night in his room—I set one up that night—it was a whole rushlight—I left it unlit when I went to bed—I have since given one of the rushlights out of the same parcel to inspector Bercsford.

Cross-examined by MR. PHILLIPS. *Q.* You have been examined, I believe, several times before the Magistrate? *A.* Yes—I cannot recollect how many times—it was three I believe, but I do not know how many times—I was also examined before the Coroner—I have not been examined by any body since the committal of the prisoner, that I swear—not by Mr. Hobler—this is not the first time I have said I saw the prisoner looking not only into one room, but into every room after his lordship's property—I said it before I ever went to Bow-street, to the solicitor who was there when first I was examined, I believe it was Mr. Hobler—I also said it to my fellow-servant—I have several times told what occurred, without mentioning that I saw him looking after the property—I gave evidence in the house of

Lord Russell on the first or second day, I am not certain which—I believe what I said was taken down in writing—I have no doubt that it was—Mr. Mayne, the commissioner of police, was there—there was no Magistrate present to my knowledge—I never saw him—there was no attorney there to my knowledge—I did not see any—there were only two persons, Mr. Hobler and Mr. Mayne—I did not know Mr. Hobler was the attorney—I did not know that was the name—the prisoner was not present—when I first went into his lordship's room with the prisoner, I said, "My lord, my lord," and saw some blood on the pillow, and ran away screaming—I did not see his lordship on that occasion.

Q. Now, attend to me, on the oath you have taken, have you never said, "I saw my lord murdered in the bed?" A. No, sir, I never did—I never said his lordship was murdered, the first time—I did not see his lordship when I first went in with the prisoner—I never said I did, to my recollection—I really was that frightened, I do not know what I said at the moment—I know what I said in the room.

Q. But did you ever represent that when you went the first time into the bed-room with Courvoisier, you saw my lord murdered in the bed? A. I saw blood—I did not know whether he was murdered—I never said that I saw him murdered in the bed—I am sure I never did—I did not see his lordship the first time.

Q. I am asking what you said; if you said that, on the first occasion when you went in with Courvoisier, you saw his lordship murdered in the bed, would that be true or not? A. I do not know whether I said murdered or killed—I think I said something to my fellow servant—I think it was "killed"—she says I said either murdered or killed.

Q. I am talking of the time you went in with Courvoisier; did you represent to any body that, on the first view of the bed on that occasion, you saw my lord murdered in the bed? A. No—I do not think I said it—I could not say that, because I never saw my lord then—I did not represent that I did, to my belief—I did not, to my knowledge—I cannot say whether I did or not—when I first went in I saw blood on the end of the pillow—I said, "My lord, my lord," and ran screaming out of the room.

COURT. Q. In giving an account of this afterwards to some other person, was the expression you used that you had seen my lord murdered in his bed, meaning lying in his bed murdered, is that what you said? A. No—I recollect it now; I said some one had murdered his lordship—I said it in the street to Young.

MR. PHILLIPS. Q. I am not asking what you said in the street; I ask you this, Did you ever say that the first time you went into the room you saw him murdered in the bed? A. No—I am sure of that—I was examined before the Coroner—to the best of my recollection, I have always given the same account of what I saw in the room on the first occasion, as I have given to-day—it is a thing which impresses itself on my mind—I was that frightened, I do not remember what I saw—on the second occasion I went in with inspector Tedman, and saw his lordship's face—I did not go up to the side of the bed, I went to about the middle of the foot of the bed, I then saw his lordship's face—Tedman went up before me—I followed him instantly—I was in the room the same time as he was—I did not see him go into the bed-room—I was further down the stairs—I followed up quickly—I did not see Tedman do any thing to my lord—On going down into the passage I saw several things lying there—I saw the napkin—I did

not look into the folds of that napkin then—I never represented that I did at that time—there were two or three policemen present when I saw the napkin the second time—I do not know whether Tedman was up or down stairs—When I went up to the cook, after having seen the things tossed about, I asked her if she knew if any thing had been the matter last night—she said “No”—the expression I used to Courvoisier was, “Courvoisier, do you know if any thing has been the matter last night?”

Q. The same words as you used to the cook? A. She told me to call him—those were the words I used to the cook.

Q. Pray, had you the least doubt that a great deal was the matter? A. No, I had no doubt at all—I did not think there was any thing the matter—not so much the matter as there was, because I had frequently seen his lordship’s papers strewed about, much the same as they were that morning—I never before found the passage strewed with things.

Q. Had you any doubt then of any thing being the matter? I did not know what to think—I thought there might be something the matter—I did not know whether the cook could give me any information—she was up later than me by a quarter of an hour—I did not think she could know all this in a quarter of an hour.

Q. Why ask her? A. Because I had nobody else to go to—I did not know what to think when I saw the things in the passage—it surprised me very much—I went immediately up to the cook, and told her what I had seen—I went into the parlour first.

Q. Why not instantly go up when you saw the things in the drawing-room and in the passage? A. I did not know what the things were laid there for—I knew nothing about it—I did not go into the parlour before I went up to her—I went up to the door to see the things—I did not examine the street-door—I could see it from the bottom of the stairs—I went to it to see what the things were.

Q. Were you not surprised to find it unchained and unbolted? A. I sometimes have found it unfastened before—I cannot say exactly how long before—it might be before his lordship went to Richmond—once Courvoisier had forgotten to fasten it—that surprised me—I do not know whether I mentioned that to the cook or not—it was only once before that I had seen it unfastened—I was surprised at seeing the things strewed about the passage, but I was not so much alarmed till I went into the parlour, I then became more alarmed—I just opened the shutter—I went into the drawing-room to pen the shutters, not to see if property was there—I did not suspect any thing when I went into the front drawing-room.

Q. Although you had seen the desk twisted round, the drawers open, and the papers sticking out, you never suspected any thing wrong? A. No, I did not.

Q. Now it has been opened to us to-day that Courvoisier never took the least trouble to give any assistance; if I remember right, you told me that the prisoner appeared to be writing, and said he was writing to Mr. William Russell? A. He said he must write to Mr. Russell—I said, somebody must be sent for him.

Q. And after that, he was about to send the first man he saw at the door? A. Not that I know of—he beckoned to the man—he had sat about five minutes after I told him Mr. Russell must be sent for—when he beckoned to the man, I gave him a push, and said, “Don’t call such a man as that”—I did not know what he was calling him for.

Q. What did you mean by saying, “Do not send such a man as that?”

A. Because he did not look like a man to send any where—I did not think the prisoner was going to send him for Mr. Russell—he was not a man I should send any where.

Q. If you found a house robbed, and a murder committed, should you not send the first person you could find? *A.* I do not know whether I should or not—I did not see his lordship when I first went into the room with Courvoisier—I am not certain whether I ever said I saw blood on the pillow, but could not tell whether I saw his lordship—I never said, “I did see his lordship the first time”—I did not see him—I never said, “I was not sure whether I did or not”—I had been living at Mivart’s hotel—Lord William was stopping there a short time, not living there—he was there about a fortnight—I left Mivart’s after his lordship went away—I do not know how soon after, it might be a fortnight, or it might be more—I did not go into any service after leaving Mivart’s—I went into lodgings for two months—I then went into Lord William’s service—it was at Mr. Don’s, No. 9, Upper John-street, or Lower John-street, Golden-square, where I lodged.

Q. You have stated you took some ale from the prisoner, did you ever say you grew quite drowsy? *A.* Yes—I was not asked the question to-day, I felt quite drowsy afterwards, not immediately—I felt sleepy and drowsy—I feel drowsy of a night, but I felt drowsier that night, after taking the ale—I do not say it was the ale—I do not know whether it was the ale or what it was—the prisoner took some of it—I was sitting there about three-quarters of an hour—just before I went to bed I became drowsy—I did not become so very shortly after taking the ale—it might be half, or three-quarters of an hour—it might be very shortly—I cannot say exactly the time.

Q. Do I state your sensations truly when I describe them in this way, “I felt very heavy and sleepy, and felt a drowsy sensation come over me very shortly after taking the ale?” *A.* Yes—it might be the ale that made me so—I did not mean to convey to the jury that he gave me drugged ale—I never tasted any thing particular in the ale—I did not mean to insinuate that it was drugged ale—I mentioned it merely as a matter of course—I never meant to insinuate it was the ale made me so—I was dreadfully frightened after I found that his lordship was murdered—it was after that that I said to the prisoner, “What the devil are you doing there?”—I am not in the habit of speaking so, but I did not know what I was about—I observed what he was about—I should not have said that, had he got up and assisted me—I think it was quite right to apprise Mr. William Russell immediately of the horrid event that had happened—Belgrave-square is not very far for a man to ride on horseback—the coachman might have gone—Courvoisier might have gone for the coachman.

Q. And might he not have taken the opportunity of escaping, if he was conscious of any crime? *A.* He might have escaped—Our sleeping-room is divided from Courvoisier’s by a wall—I do not know whether it is lath and plaster—it is not very thick, and not very thin—I have knocked my hand against it—I do not know that it is hollow—I did not knock against it for any thing particular—I did not notice a hollow sound that I know of—when I went down with Courvoisier, and saw the things tossed about, I said, “Let us go and see where his lordship is.”

Q. Did you think any thing was the matter with my lord then? *A.* I did not know what to think—he was unprotected, and nobody went to see—I found my fellow-servants safe.

Q. Why did you not use the expression, "Let us go and tell his lordship the house is robbed," instead of saying, "Let us go and see where his lordship is?" **A.** Those were the words I used—I expected to find him in his bed-room—I did not know whether he was in his bed-room, or not—it is a small house—I had been into every room except the kitchen—I had not been into his lordship's bed-room then—I did not know where he was—I did not expect any mischief was done to him at that time—I was anxious to see where he was—I had no doubt where he was—I believe there has been a great deal of inquiry and search made all about the premises—I saw a ladder on the premises—it has been there ever since I have been in the house—it was there before I went into it—all the police saw it, and knew it was there—I heard inspector Tedman inquiring about the ladder—I do not know that he mentioned it at any investigation—I heard him mention it, but not at the investigation—I did not mention that there was a ladder on the premises—I heard many inquiries as to how any body could have got over the walls.

Q. Is not that ladder exactly the height of the wall which separates the yard of the premises from another? **A.** I never noticed it—the ladder was not always kept in the yard—when it was not there it was kept in the bath-room, which goes off from the house—I cannot tell how high that wall is—I have been in the yard hundreds of times—I have no idea how high the wall is—I have gone up that ladder, but not in the yard—I have had it in the house—I do not know the height of it—it is the height of other ladders—I do not know whether a person on that ladder could get over the side-wall—I never saw the ladder standing there before the morning of the murder—I did not see it till the police saw it—it was standing in the passage on the Tuesday, and I asked Courvoisier to take it away, and he took it and placed it there himself—I remember that now—it stood inside when I asked him to take it—it was in the passage just below three stairs—I was cleaning the passage, and said to Courvoisier, "Will you take this away?" and he took it out there.

COURT. **Q.** Standing in the house? **A.** Yes—it had been left there on Monday—the late valet had been there hanging some pictures for his lordship, and left it there—I asked Courvoisier to take it away, and he took it away, took it out of the house, on Tuesday—he set it where it was found by the police, on the side of the wall of No. 15, the left-hand side.

MR. PHILLIPS. **Q.** Did you desire Courvoisier to put it there? **A.** No, I desired him to take it away—I saw where he took it to—it did not surprise me in the least next morning.

COURT. **Q.** Did it reach to the top of the wall? **A.** Not exactly, that I know—I never noticed it—it stood quite upright.

MR. PHILLIPS. **Q.** Was it leaning against the wall? **A.** It must be leaning against the wall—I did not see it for a long time after—I saw it in the course of the day leaning against the wall—I do not know how far it was from the top of the wall—any body on the top of that could easily have got over the wall.

Q. Now, you were in the house ever since this unhappy event took place, have you seen any people trying chisels, pokers, and instruments of all description, against the doors and wainscoting? **A.** No—(looking at the model)—this is the glass door leading into the yard—I do not know of any experiment being made on that door and door-post since the police

came into the house—I had not observed any marks on that door before the police came into the house—that is the door through which I have gone scores of hundred of times into the yard—I never noticed any marks on that door—I believe I first mentioned about the prisoner giving me the ale at the last examination, but I really do not know—I was never in the house before I went into his lordship's service—I never was in the street before—I had not looked out for a situation while at Mr. Don's.

Q. You preferred living on your means? *A.* No, I did not, I was doing the servant's work in the house—Mr. Don kept two servants.

Q. I thought you mentioned it as a lodging? *A.* It was a lodging when I first went there, but the servant went away, and I did the work of that servant, because I would not be spending my own money—I was, it might be, about a month at Don's before the servant went away, but I do not know—I did not hear of a situation in that month—I inquired of people coming to the house, and the servants in the house asked the tradespeople about a situation for me—I did not go myself—Mr. Don is a tailor—I had never seen the Waterloo medal but once before—I saw it then on the table in his lordship's bed-room—he had emptied a little box—his lordship never kept his bed-room door locked.

Q. How did you find out that my lord wanted a servant? *A.* When I left Mivart's hotel I asked the head waiter if he heard of a light place to let me know, he said he would, and when his lordship came from abroad he sent for me by one of the men out of the stable—I never, to my recollection, heard Courvoisier mention the wages he had at Mr. Fector's—he had not so much at his lordship's by 5*l.* as the late valet—I do not know what his wages were—I do not know that it was 45*l.* a year—he told me it was 5*l.* less than the late valet had—I did not hear him say he had double the wages he had at Mr. Fector's—he told me had no money in the Bank, and then said he had 8*l.*

Q. When you said to Courvoisier, "Let us go and see where his lordship is," did he not say to you, "What will he say?" *A.* No, I did not hear him say any thing—I cannot swear he did not—I never heard him say any thing at that time—I can swear I never heard him say that—I do not recollect hearing him say any thing when he was going into the dining-room—I never heard him—I did not see the area gate at all after the prisoner went out for the beer for the cook.

MR. BODKIN. *Q.* You have been asked about some examination of persons in the house in the presence of Mr. Mayne and Mr. Hobler, on what day was that? *A.* I do not recollect the day—it was not the day of the murder—I was examined in the absence of the prisoner—the prisoner also went into the room to be examined in my absence—the other servants were examined separately in the same way—we were all kept separate from each other—no one had been at that time charged with, or accused of this offence, to my knowledge—when I went up into the bed-room with Tedman the door was opened by the men that went up stairs—the door had not closed after them before I went in—it remained open—I do not know how near I was to the room when Tedman went in—I was part of the way down stairs—when I went into the room Tedman was round by the side of the bed against the window, near his lordship's head—Young and some other persons had been up in the room before I went up with Tedman—I had seen the Waterloo medal about three months before his lordship's death—his lordship was in the room when I saw it—it was lying open—I never in my life had any quarrel or cause of quarrel with the prisoner.

MARY HANNELL. I was cook in the late Lord William Russell's service for two years and nine months—his lordship dined at home on the 5th of May—after dinner I washed the plate—I went out a little before nine o'clock, and returned a little before ten—I went out alone and returned alone—Courvoisier let me in at the front door, and he fastened the door when I came in—he locked, bolted, and chained it—I went down stairs into the kitchen—I did not go out of the house after that time—before I went out at nine o'clock, I went into the yard to fetch the cold meat in for supper, and I bolted the door after me—the cold meat was kept in a safe in the lower yard—the door I bolted was the one which leads from the passage close to the pantry, into the lower yard—there were two bolts to that door, one at the top and the other at the bottom—I do not think I bolted the bottom bolt, because it was out of repair—I had not been in the habit of bolting that bottom bolt of late—on my return home I had my supper in the kitchen—Courvoisier and Manser had already supped—Manser went to bed first—before I went to bed Courvoisier went out and fetched me some beer—he went out by the area gate—I did not notice where he put the key of the area gate on his return—it usually hung up in the kitchen—he had taken it to let himself out of the area gate, but I did not notice on his return whether it was put there again—I went up to bed about half-past ten o'clock—the prisoner did not remain in the kitchen till I went up stairs to bed—he was in the pantry when I went to bed—he had not been very long in the pantry before I went to bed, only a few minutes—he had been up stairs while I was at supper—he went up stairs to the drawing-room as the bell rung—when I got up stairs into my bed-room Manser was in bed.

Q. Did she to your knowledge leave the room in the course of that night? A. No, I do not believe she did—I did not leave it at all—I was not disturbed at all in the night by any noise, or any thing out of the common way—Manser got up first next morning—I think it was about a quarter to seven when she went down stairs—I was still in bed—she generally used to knock at the prisoner's door as she went down—I heard her do so that morning as she went down—she came up stairs again in about five minutes and made a communication to me—I immediately got up—before I got up she went again to Courvoisier's door, and I heard them both go down stairs—whilst I was dressing I heard the housemaid scream, and on hearing that I finished dressing and ran down stairs—I ran to the lower part, near the dining room—I saw Manser there—she said his lordship was killed—I just went into the front dining-room—I saw the prisoner and Manser there—the prisoner had got a slip of paper and a pen, and was writing something on a book—I then went to the front door—in the course of the morning I saw the prisoner in the back dining-room—it was a few minutes after I had seen him in the front dining-room—he was sitting in a chair by the middle door—he said, "Oh dear, they will think it is me, and I shall never get a place again"—when I came down I saw some things lying about in the passage—there was his lordship's cloak, an opera glass, and trinket box—I saw a bundle in the passage by the cloak, tied up with a dinner napkin—the contents of that bundle were not taken out before the police came—I had left a thimble of mine the night before in a work-box in a cupboard in the kitchen—that cupboard is on the right hand as you face the street—in the morning when I went into the kitchen, I found the cupboards and drawers all open—there

was nothing taken away that I am aware of, except that thimble—there was nothing of any value in the cupboard—I do not know how it had been opened—there was no force used—the lock was shot—I think it could be opened easily—I could not open it when it was locked—this is it (*looking at the plan*) there are two or three doors to it—I did not observe any marks of violence, but the lock was turned, not unlocked—the bolt was shot—I had locked that cupboard myself the night before, and taken the key up stairs—there is a little bolt on one side as well as the lock—I could not be positive that I put that bolt down, I think I did—two of the dresser drawers were open, all out of order, and rummaged—they had not been locked—I left a fire in the kitchen, the night before, when I went to bed—I left the prisoner up, he was to supply it, in case any thing was wanted—his lordship always had his bed warmed—I left coals to feed it with.

Q. Do you recollect ever having any conversation with the prisoner about money? A. On the Tuesday morning at breakfast he said he had only 5*l.*, and when that was gone he must ask his lordship for more—there was something else said, but I cannot recollect—I heard the prisoner say once that *Old Billy* was a *rumold chap*, and if he had his money he would not be long in England—that was all I heard him say—I cannot recollect when that was, exactly—it was about a week before—it was in the kitchen—we were at one meal, I cannot recollect which—the prisoner and the other servants lived comfortably together, we never had a word with him—I was going to leave the service—that was not on account of any quarrel with the prisoner.

Cross-examined by MR. CLARKSON. Q. The prisoner, and you, and the others lived comfortably and peaceably together? A. Yes, we never had any quarrel, because we had no reason—when he said that about my lord, I only thought he said it as a joke—he said if he had as much money as *Old Billy* he would not remain in England—he is a Swiss—I do not know whether it was his lordship's custom to give him money for the weekly or monthly supply—he has not paid bills, except for his lordship—he said something about money in the Bank—that was when he said he had only 5*l.*, and when that was gone he must ask his lordship for more—he said something about having 8*l.* in the Bank.

Q. The 5*l.* did not refer to all he had in the world, but to what he had for the expenses of the house? A. I did not properly understand him—he said something about the Bank—I did not give more than 18*d.* or 2*s.* for the thimble—I had had it a very long time, before I went into my lord's service—there was a step-ladder in the yard—it used not to be kept there lately, I think—I believe it had been in the bath-room, except a day or two previous to what happened—it is not a ladder, but steps, which open with a string from one end to the other, and stand by themselves—I think it is six or seven feet high—I saw that ladder the following morning, after his lordship's death—it stood in the yard, just outside the glass door of the upper yard, and against the wall—it was not quite so high as the wall—there would be no difficulty, in a person who was at the top of that ladder, putting his foot over to the lead at the top—I do not know whether the prisoner sat in a good many places in the course of that day—the back dining-room was the place I saw him in.

Q. How soon after your fellow-servant gave an alarm on the opposite side of the way, was it before the coachman and groom came into the house? A. The coachman came first some time—I think it was five or ten minutes

before he came—I do not know who gave the order for Mr. William Russell to be sent for—I do not know whether it was the prisoner—I do not know who sent—the ostler of Mr. Shenton, a neighbour, went—that was after I saw Courvoisier sitting in the back dining-room—I saw him in the back dining-room before any body was sent for Mr. Wm. Russell—it was a minute or two either way—I do not know who went for the man that went for Mr. Russell—I was very much alarmed and agitated—I hardly knew what I did.

Q. Would you not as soon have sent the first man you met in the street, as have sent the ostler? A. No, we knew the man—he came to the door, and knowing him, somebody asked him to go.

Q. We understand your bed comes the right side of it, flush on the lath and plaster of the division between your bed-room and the prisoner's? A. Yes, it is a thin partition—I never examined it—I cannot say whether I could hear him turn in his bed—I could hear him in his room, if he moved a chair or any thing—if he had been walking about in his shoes, and I was awake, I should have heard him—I should hear him cough and blow his nose, if I was awake—I was awake when Manser got up at a quarter before seven o'clock—I heard her go out—it might be about half-past six o'clock when she got out of bed—I had not spoken to her before or after she got out of bed—there was no conversation—I had not spoken to her—I do not recollect her speaking before she went out of the room—she was about a quarter of an hour dressing—she washes up stairs—I cannot recollect whether she washed herself that morning—I cannot say whether she did or not—that was about the time she usually got up—the prisoner used to wash and shave himself below—he sometimes was longer dressing than at other times.

Q. You say he said, "Oh dear, they will think it is me, and I shall never get another place," did that strike you as being a natural expression for a man under such circumstances? A. I thought it seemed strange, but he was alarmed, and I thought at the time he did not know what he was saying—he seemed as confused and agitated as the rest of us—there was nothing in his appearance to lead me to suppose more than that he was alarmed and agitated—when Manser came up-stairs after being below, she described to me what she had seen—she did not tell me what she had seen in the folds of the napkin then—I came down and saw them—I saw a gold pencil and tortoiseshell toothpick—I saw them when I first went into the passage—I saw the bundle lying, but did not untie it—I saw the pencil-case and toothpick lying in the folds—that was five or ten minutes before the policemen came—I think Manser was with me at the time—I believe she observed them, and pointed out the things—I cannot positively say whether she spoke about the pencil-case and toothpick in the folds of the napkin, or whether I saw them myself—I cannot say whether she repeated the words, but I saw them there—I cannot tell whether she pointed them out to me, or I to her—I observed the bundle lying in the passage, and the cloak, and the pencil-case and toothpick-case in the folds of the napkin—I recollect seeing them—they might be seen by a person going to the spot without meddling with them at all—I did not see my lord's rings found—I had seen his lordship wear rings—they were much more valuable than my thimble—there is some plate which I believe has not been found—I believe there is a reward offered for some—I know there are silver forks and spoons

which have been advertised and never been found—I do not know how many pieces—I have heard there are forks and spoons among the missing plate.

MR. CHAMBERS. Q. Do you know at all how much is missing? A. No—the pencil-case and toothpick were in the folds of the napkin, outside, lying on it—Mr. Shenton is a livery-stable keeper—his lordship kept his horses at livery there—the pencil-case and toothpick were visible for any body to see that came down—I am not aware of the prisoner's paying any of Lord Russell's bills—he might have paid small bills if his lordship gave orders—I was to pay the household bills after Ellis left, but none of the household bills were paid after Ellis left, because I have got the books.

COURT. Q. You said the prisoner took the key in order to get out by the area; do you mean the key of the door of the house leading into the area, or the key of the area gate? A. The area gate—the area door was bolted and barred—I left it bolted and barred that night—that was after he came in with the ale—I bolted and barred it myself after he came in—it was not necessary to open that door to let him in with the ale—the housemaid and I were in the kitchen while he was gone for the ale—the door I speak of goes out of the kitchen into the area, not out of any passage—I do not remember whether the key of the area gate was brought back to the place where it usually hung.

WILLIAM YORK. I was coachman to the late Lord William Russell. I lived out of the house—I should have been in his lordship's service four years on the 6th of June—there was also a groom—he lived out of the house—on the 5th of May I went to his lordship to see him, at half-past eleven o'clock—I saw him—nothing particular passed between us then—I went to the house again at half-past two o'clock, but did not see his lordship—I had no directions from the prisoner about going to Brooks's—I went to the house again about ten minutes after five o'clock—Courvoisier and the two female servants were at tea—Courvoisier said to me, "You should have been at Brooks's at five o'clock, but I forgot to order you; you had better go directly"—I went directly—his lordship had gone when I got there—his lordship had some explanation with me, and I told him I had gone according to order—on the following morning, when I was dressing myself, a little before seven o'clock, a report came to my lodging, in consequence of which I went to his lordship's house—I got there a few minutes after seven o'clock, and saw the cook, the housemaid, and Young, the butler, from No. 23—I did not see the prisoner at that time—Young and I went up-stairs to his lordship's bed-room—Young went to the bedside next to the window, and uncovered the sheet—I perceived blood on the pillow, and on the sheet likewise—I did not see his lordship's face when the sheet was pulled aside—the face was covered up with a cloth or towel of some kind—I stood at the foot of the bed a few minutes—the police entered the room—inspector Tedman came into the room, and the police with him, or a few minutes later—that was after I had seen the sheet pulled aside, and the blood on the pillow—Tedman and the police came in while I was at the foot of the bed—in consequence of what was said I went for a surgeon immediately—I went to Mr. Elsgood, at the corner of Park-street and Grosvenor-street, and brought him to his lordship's house—on my return to his lordship's room, I saw the prisoner behind the bed-room door sitting down—his face was covered with his hands—he said

"O my God, what shall I do!"—I saw him again about half an hour afterwards, down-stairs.

EMANUEL YOUNG. I am butler to Mr. Latham, of No. 23, Norfolk-street, Park-lane. On the morning of the 16th of May I heard the house-bell ring about seven o'clock—I went up and found Manser on the opposite side—she told me something that had happened—I went to Lord Russell's house—she told me to go for the police—I returned in about five minutes—York, the coachman, came very soon after—he and I proceeded up stairs to Lord Russell's bed-room—I believe York went into the room first—we went in nearly together—the shutters of the middle window were open—I noticed blood on the bed—as I was standing at the foot of the bed I saw the blood on the bolster, on the towel, and also on the sheet—the towel was covering his lordship's face—I then went to the side of the bed nearest the window, and turned down the sheet of the bed—I did not take the towel from his face—I had no opportunity of seeing whether there was any wound on his lordship—the prisoner came into the room shortly afterwards—at that time the head of Lord Russell was still covered with the towel—his right hand was in a bending position—I saw that on moving the sheet.

Q. You had ascertained, I suppose, by observation, that he was then quite dead? A. The housemaid told me his lordship was murdered, and the house was robbed, before—I felt his hand when I turned down the sheet—it was quite cold—I did not observe any weapon or instrument on the bed or near the body of Lord Russell.

COURT. Q. When had the housemaid told you that his lordship was murdered, and the house robbed? A. At the time I crossed the road, before I came to the house—I saw the napkin taken off his lordship by Mr. Elsgood, the surgeon, afterwards.

MR. BODKIN. Q. Do you remember the particular phrase she used? was it the word "murdered?" A. I believe it was—the prisoner came to the foot of the bed while I was in the room—he raised his hand, and instantly fell back into an arm-chair—he said, "What shall we do?"—he appeared to be very much distressed at the time—I cannot say how long he remained in the arm-chair, but it was some time—it might be ten minutes, or it might be a quarter of an hour—he constantly kept saying, "What shall we do?"—at the end of ten minutes or a quarter of an hour he rose up from the chair, went to a small table in the room, and began to examine a small dressing-case—he took off the top, and also took out the inner part, and put the inner part into a cupboard, very quickly, by the side of the fire-place—by the inner part I mean a kind of tray which lifts out—it contained several articles—he came back with the dressing-case after shutting the cupboard door, and with his hand he removed the rings, which I saw at the bottom of the dressing-case which was under the tray—I saw four rings—he removed them with his hand at the bottom of the dressing-case—I left the prisoner at that moment—during the time he was moving these things he spoke to me about his place—he said, "I have lived with his lordship only five weeks, and what shall I do for my character?"—I did not make any observation to him on that, to my knowledge—he did not interfere with any other article in the room in my sight—he said such and such things were missing, but I do not know what—he mentioned several things that were missing—I remember his saying rings were missing, and likewise his lordship's watch and pins—I did not go out of the room when I ~~heard~~ I ~~thought~~ I ~~thought~~ Mr. Elsgood, who had come before that—he came

into the room before the prisoner—I assisted Mr. Elsgood in examining the body—I noticed a rushlight in the room—I cannot tell the length of it when it was placed up, but it appeared to have been burning a short time, I may say an hour—Inspector Tedman came in while I was there—after that I went down to the lower part of the house—the prisoner went with me—he did not say any thing to me till we got to the bottom of the house—he then said, “Oh, here is where they came in”—he pointed to the place where I was standing at the foot of the staircase leading to the basement—I could see the door which goes into the back area from where I was, and so could he—that door was open—I went and examined the door, but not with any great particularity then—the prisoner went to it first—it was not standing wide open, but it was open—the prisoner took it in his left hand, opened it still wider, and said, “Here is where they came in.”

Cross-examined by MR. PHILLIPS. Q. You say the prisoner fell back into a chair? A. He did—I had an opportunity of seeing my lord's neck and face when it was uncovered.

Q. Was it not a spectacle to utterly shock and horrify any body who saw it? A. It was very horrifying, so much so as to affect the nerves of the stoutest, strongest man—it certainly affected me—I was not unnerved—my nerves were shaken, but I was not unnerved—I did not see Tedman at the door where the prisoner said they had got in—I left him up stairs—I found a silver candlestick in the bed-room, near his lordship's bed-side—I examined it, and ascertained that it was silver by the stamp—I judged by the appearance of the rushlight that it had been burning about an hour—I have been in the habit of seeing rushlights lighted and burnt—it had not burnt out entirely—it appeared to have been blown out—I judged it had been burning about an hour, from what was left.

MR. BODKIN. Q. At the time the prisoner came to the foot of the bed, and fell back in the chair, was the upper part of the body uncovered, so as to expose the wound? A. It was—Mr. Elsgood had uncovered it before the prisoner had come into the room—the candlestick was standing by the side of the bed, on a small book-case, between the two windows—it was as near to the head of the bed as it could possibly stand, being on the book-case—there was an article of furniture immediately adjoining the head of the bed—it was not on that, but on the book-case between the two windows.

HENRY ELSGOOD. I am a surgeon, and reside at No. 14, Upper Brook-street, Grosvenor-square. I was called to the house of the late Lord William Russell on the morning of the 6th of May—I got there about half-past seven o'clock—I went up into the bed-room immediately—I found him in bed—the body was then covered up—the clothes were over the body, as usual with a person lying in bed, and the towel was over the face—I turned the clothes down and removed the towel from his lordship's face—when I had done that I observed the body to be lying on the back, partly on the right side, slightly inclined on the right side—there was some blood on the sheet which was turned over, and on the pillow, and also on the towel which was over the face—when I turned the clothes down, and removed the towel, the shirt-collar was wide open, and there was a sort of worsted network comforter, over the chest, drawn up to the chin—I was obliged to divide that comforter before I could see the wound—when I had done that I found the wound extended from the top of the left shoulder round to the part called the trachea—it went round to the

right side of the trachea, dividing the throat—that wound was decidedly sufficient to destroy life, and immediately—at the commencement it was about four or five inches deep, and at the termination, I should say, about three—it was made with one incision, I should say, decidedly, and with very great force, by the parts that were divided—it was a wound that might have been made with a knife or some such instrument—I have not been shown any knives that were down stairs.

Q. Having observed the body, and the situation in which his lordship was lying, and the nature of the wound, in your judgment was it possible he could have inflicted it himself? A. Decidedly not—utterly impossible—there was no knife, nor any instrument near his lordship whatever—I had never attended Lord William Russell—I had known him by sight for some time—I examined the body again on the Friday evening, and saw that the ball of the thumb of the right hand was nearly cut off, and there was a small incision below that—when I first uncovered the body the left hand gripped the sheet—it had a firm hold of it—there would be a great gush of blood from such a wound from the artery, to the left—I did not observe any appearance indicating that that had taken place.

Q. Was there any thing to show how that could have been prevented?

A. There was a pillow at the left side of the bed, down by his lordship's head, which was saturated with blood, which induced me to say that had been used—not the pillow on which he was lying—it was at the corner, lying by his side—the corner down by his head had blood on it.

Q. How could that have been used to prevent the gush of blood? A. It might have been held directly over the mouth of the vessel, directly the artery was divided—the blood which had flowed from the wound had run through the bed and on to the floor of the room.

Cross-examined by Mr. PHILLIPS. Q. Did you observe whether there was any thing on the counterpane? I do not mean any mark. Did you observe the miniature of a lady? A. There was a miniature there, I believe, which Tedman told me of—I do not recollect seeing it at all—Tedman had got there before me.

JOHN NURSEY. I am an apothecary, and live in Cleveland-row, St. James's. I was accustomed to be the medical attendant of the late Lord William Russell for many years—he was about seventy-three years of age—he had suffered from frequent diseases, and from asthma especially, and he was of a spare and feeble habit of body in consequence of that disease—on the morning of the 6th of May I was called to his lordship's house in Park-lane, and found Mr. Elsgood there—I examined the wound—I have heard Mr. Elsgood's evidence—I agree with him as to what he states about the wound being the cause of death, and being given by a sharp instrument with great strength—I could see entirely into the wound almost from one extremity to the other—I could not see behind, but I felt behind, and felt the bone—after examining the wound I felt interested as to what I saw, and requested those present to place every thing in the situation in which it was first found—Tedman, Courvoisier, and other persons were present—I requested them to place the things as they were at the time of the discovery—they did so—Courvoisier assisted in doing it—I entirely agree with Mr. Elsgood that it was impossible Lord William could have inflicted that wound upon himself—I have seen some of the knives in the house, the poultry carving-knife particularly—they were ~~exactly~~ such instruments as would have inflicted such a wound.

Cross-examined by MR. PHILLIPS. Q. I suppose a razor or any sharp instrument would have done it. A. Any sharp instrument would have done it.

MR. ADOLPHUS. Q. Do you mean, a razor would inflict a wound of that depth and length at one blow? A. I think it possible.

THOMAS SELWAY. I am servant to Mr. Cutler, who lives at No. 15, the adjoining house to the late Lord William Russell's, on the north side, towards Oxford-street. I went into the house on the morning of the 6th of May, about seven o'clock, hearing screams—I first heard screaming up-stairs, as I was dressing, then I came down and heard screaming at the front door—I made inquiry—it was stated what had occurred, and I went into the house.

Q. Did you hear the screaming up-stairs in the house, or were you up-stairs when you heard it? A. I was up-stairs—the screaming appeared to me to come from Lord Russell's house—from the attics—I did not hear screams from any other part of the house until I came down-stairs—the screaming then appeared to come from the front door—when I went in I observed the housemaid and the cook in the passage—I saw a cloak, an opera glass, and some other things lying in the passage, behind the front door—I then went into the dining-room—I found the prisoner there alone—he was sitting between the door and the window—he was not doing any thing.

Q. Did you speak to him, or he to you? A. I cannot recollect correctly, only I remember he asked me to go down to No. 100, Park-street, to ask the butler to come up—I do not know who lives at No. 100, Park-street—he did not say who the butler was—he appeared to be in a very agitated state indeed—he got up from his seat to speak to me—nothing more passed between us that I recollect—soon after that, two of the policemen came in—I then left the house, and returned to my master's—*(looking at the model)*—this wall separates the yard of Lord Russell's house from the yard behind my master's house, in connexion with that lead—directly I returned to my master's house, I went to the back drawing-room window, which enabled me to look on this flat—this is the wall behind Lord Russell's house—it continues on behind my master's house—the lead flat was very dusty indeed—I should say the lead is from three to four feet wide—it covers a flight of steps from my master's house.

COURT. Q. It is a lead flat which is let into the wall, and covers a flight of steps? A. Yes.

MR. BODKIN. Q. Did you observe any marks on the dust which was lying on the lead flat? A. I did not—I looked distinctly for that purpose—I believe no person could have passed over it in the state in which it was then, without leaving marks or tracings behind—these walls and the continuation of them at the back of my master's house, are whitewashed—I looked at them at the same time to see if there was any mark or scraping of any body having gone up there, and there were no signs of any thing of the sort—there is no mode by which any person could come from Lord Russell's yard across that lead flat.

Cross-examined by MR. CLARKSON. Q. You say the prisoner appeared in a very agitated state, did the two women appear in a very agitated state also? A. They did.

JOHN BALDWIN (*police-constable C 103.*) I was on duty in Norfolk-street, on the morning of the 6th of May—I went to Lord William

Russell's house a few minutes past seven o'clock—I saw a female at the door, who let me in—Rose was with me—I was accompanied into the parlour—I asked whether there was any man-servant, seeing the things lying about the parlour—she said, “There is the man-servant, sitting behind the door”—I saw a man sitting behind the door, with his hands up to his face—he had his face from me—I asked why he did not get up and render us assistance—he did not get up or take his hands from his face—he made me no answer—I asked him after that, why in the world he did not get up and render some assistance, but he did not give any answer the second time—I turned round and said to Rose, “Rose, he must know something about this”—the man made no answer to that—I never received any answer—he was near enough to hear what I said—I remained there, collecting the things off the floor, and putting them together—I then accompanied Rose down into the kitchen, to see if there was any thing gone from there—I did not go into the front kitchen—I went to the back kitchen door, the door leading into the back yard at the very bottom of the house—it was standing open—I examined the door—the prisoner was not with me—I walked out into the area, and I thought there was no break in—I observed there had been marks of violence on the door—I then went into the butler's pantry, and saw a person sitting behind the door with his elbows on his knees, and his hands up to his face—it was apparently the same man as I had seen in the parlour—I told him I thought he had made a devilish pretty mess of it, and said, “You must know all about it”—he did not make me any answer—I never was answered by any one—I then went and examined the back yard—there is a wall on the left hand side as you go out of the door at the back yard—on the top of the wall, there is a lead flat in the upper yard, the yard which is on a level with the passage which comes to the street door—I got up out of the back yard into the top yard—I got up by putting my foot on the window ledge, and on the door of the water-closet—Rose was with me—when I got into the top yard, I first observed the partition wall between Nos. 14 and 15, on the left hand of the yard—it is a white-washed wall—near the top of it, there is a ledge of slate projecting about two inches or two inches and a half.

Q. Were there any marks on the white-washed wall, showing that any person had climbed up? A. Not the least whatever, nor any dust brushed off—the ledge of slate was perfect, not broken—I took the steps and got up to the lead flat—I found the steps standing in the yard by the wall of which I have spoken, leaning against the wall—they were not in a position for a person to go up them as they stood—Rose pulled them out—they were not pulled out before, but standing close together—on getting up the steps I had a good view of the top of the lead flat—there was dust on it—there were no foot marks or any appearance of a person having passed over it at all—nor any finger-marks, for I tried it with my own hands—from the state of the dust a person could not have passed over it in the course of the night without marking it—I could not do it myself—I tried it with my hand to see if it would make a mark, and it did—I afterwards got on it and walked on it, and there were the marks of my feet upon it—I also examined the high wall at the back of the yard—there were no marks whatever on that of any person having got up it—there is a low building on the right hand side—I observed no appearance of a person having got out of the yard or got over there—Rose examined that—there were no marks whatever.

Cross-examined by MR. PHILLIPS. Q. What were you doing at the time you were angry with the prisoner for not giving you assistance? A. Looking at the things—I did not get any information of what was lost—I asked the females what was lost—I was angry with him for not assisting me—the females said they did not know what was lost—they did not tell me the things that were found in the passage.

Q. So that they gave you but little assistance? A. They did all they could—they did not tell me any thing—I could not have made any mistake when I got up on the leads—I did the best of my endeavours to see whether there were any marks, but I could find none—I would not make a mistake intentionally—I could not make a mistake there, because there was plenty of dust—I am not liable to make mistakes intentionally—when I tried with my hands I could see that I could make marks with my finger.

Q. A man doing a thing intentionally is a misrepresentation, not a mistake; but without intending it, have you not made a mistake in the course of this very examination at the house? A. I do not know that I did—when I first examined the kitchen door I thought somebody had broken in—I found afterwards that there was no break in—I thought there was at first, when I saw the door standing open—I did not think so after I examined the door.

Q. Did not you go down to the kitchen, examine the door, and first think somebody had broken in? A. The door was standing open—it might have been a breaking in I thought, till I examined it—I examined the door when I pulled it to, and could see there was no breaking in.

Q. Did you examine the door and think there was a breaking in at first? A. How could I examine the door when it was open—I examined it as soon as I got outside—I did not think there was a break in after I examined the door—I never said I did—it was from seeing the door open that I thought there was a break in—I laid my hand on the lead to see if I could make marks with my fingers—the dust was not very deep—it had been a fine night the night before—there had been no rain for some time.

Q. Tolerable good winds in the beginning of May I believe, were there not? A. Certainly there were winds—I should not say the wall is thirty-five feet high—I never measured it—I do not know how high the white-washed wall is from the ground—I was there a very few minutes.

Q. Perhaps you did not make much observation? A. I did all I could—it might be fifteen or sixteen feet high—I cannot say that it is double that height—it did not appear so, in my opinion—I cannot say how many minutes I was there—it was more than four or five minutes—perhaps a quarter of an hour or twenty minutes—I call that a few minutes.

Q. Have you heard of any reward being offered in this case? A. No, never—I have been a policeman several years—I joined it the first day.

Q. Now on the oath you have taken, do not you know that a placard with a reward was sent to every station-house in London? A. I never saw it—I never heard it to this day—I do not know what it is to this day—I never heard what the reward was—I never heard of it, or of any reward—I have been in Lord William Russell's house three or four times—I have not talked to my brother policeman about this dreadful transaction—I have seen him several times, but had nothing to say to him—I have not talked to different policemen about the murder—it has been men-

tioned—I have not heard my brother policemen conversing about it—not with any parties belonging to the house.

Q. I am not asking about parties belonging to the house, but about your own brother policemen; do you mean to tell the jury that you have not over and over again conversed with policemen about the murder? A. I have certainly spoken to one or two, but never conversed with any body, not with the parties belonging to the house—I have spoken to people I know.

Q. To policemen? A. Of course I have—I cannot say to how many I have spoken to on the subject of the murder—I will not swear I have not spoken to twenty—I will not swear I have spoken to twenty—I might have spoken to twenty, thirty, forty, or a hundred.

Q. Why, then, did you fix upon one or two? A. I fix upon nothing—I spoke to nobody in no particular manner about it—I asked nobody no question—no policeman belonging to the house.

Q. Do you mean to persist in saying you never heard of a reward being offered? A. I do—I never was told of any reward—I can write my name—I cannot read much, I am not a very good scholar—I can read print in very large letters on placards—I belong to Vine-street station-house, Piccadilly—that is the station I have belonged to since the 5th of May—I am there every day—I cannot say how many policemen frequent that station-house—about 184—it is about three-quarters of a mile from Lord William Russell's house.

Q. Now, 184 policemen frequenting the same station-house with you, do you still mean, on your oath, to tell the Jury that you never heard of a reward being offered? A. I never was told of it—I never heard of the reward—I do not know what the reward is—I never heard of any reward—I never was offered any thing, nor ever heard of any reward—I did not suppose you asked whether any reward was offered to me—I say I know nothing about any reward—I was never employed in searching for the missing spoons or forks—I never read of 50*l.* reward being offered for them myself—I am a very bad scholar—there was something read out in orders about it, in the general orders.

Q. What was read out about it in general orders? A. There was some reward, but I do not recollect it—I cannot tell what the reward was for—I do not recollect the sum of money that was mentioned—it is a thing I do not take notice of, sums of money—I was present when it was read out—I do not know what sum of money was named—I cannot tell how long it is since it was read out to me—it cannot be so long as two months ago—I cannot tell whether it was one month ago, or a week ago—I cannot tell whether it was four days ago, or two days ago—it might be one day ago for any thing I know—I cannot tell whether it was yesterday—I cannot tell you any thing at all about it.

MR. CHAMBERS. Q. How long after the 6th of May were you first called on to give your evidence? A. I cannot say—something more than a week.

(Adjourned.)

FRIDAY, June 19th.

The Queen against Francois Benjamin Courvoisier (continued.)

JOHN TEDMAN. I am an inspector of the C division of police. On the
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morning of the 6th of May I was called to the house of the late Lord William Russell, about half-past seven o'clock—I believe I found the coachman or groom at the door, and one or two other persons let me in—they were servants in the neighbourhood, but I have not seen them since—my attention was directed to the door of the area, leading into the passage—there is only one door at the bottom of the house, leading into the back area, I mean the door on the floor even with the kitchen and the butler's pantry, the back door—it was open when I examined it—I saw it was bruised—I saw several bruises when I closed the door after me—they appeared to have been made by a blunt instrument—the door was bruised from the top to the bottom, all the way down in different parts—I also examined the door-post—that was bruised also in a similar manner—the bruises on the door and door-post did not exactly tally—the door was bruised in one part, and the post in another—I could not tell exactly whether those bruises had been made by force from the inside or outside—the top part, I thought at the time, had been done from the outside, and the bottom part I thought had been done inside, by the bolt at the bottom—that bolt could not be fastened without a good deal of forcing, because it was in a very rusty state, as if it had not been fastened for a considerable time—I exerted myself to see if I could fasten it or not—if it had been fastened the night before, I should think it could not have been in the state I found it—some of the marks of violence were near that bolt—those marks appeared to have been made from the inside, and I had not the slightest doubt about the upper part—when I had done examining the door, I saw the housemaid and cook close by—in consequence of what they said to me, I went as far as the pantry—that is on the same floor as the door, close by—when I went into that pantry I saw the prisoner sitting on a chair behind the pantry-door, between that and the cupboard—Sarah Manser said in his presence, “Oh dear, my lord is murdered!”—I said, “Come along with me, and show me where the body of his lordship is”—I said so to Manser and to the prisoner—I told both to come—I then went up to his lordship's bed-room with both of them, and the cook followed close after—I believe I went first nearly to the door, and when I asked which room it was, I really cannot say which opened the door—I asked for the door, and one of the three opened it, and we made one entry—on entering the room I found the curtains of the bed partly drawn—two of the shutters were open, of the far and middle windows—the shutter in front, where his lordship laid his face, was nearly closed—that was the shutter of the third window, nearest to the head of the bed—that was nearly closed—I opened that window-shutter, and then turned to the bed—I saw the bed was covered over, the bed clothes lying as if the body was covered over, and a napkin over the face—I pulled the napkin off, turned the clothes down, and saw a great quantity of blood in the bed, from his lordship's head down to the middle—the blood was in the bed, and on one pillow, there was some blood, but not much—I took the napkin off his lordship's face—he looked as if he was asleep—his eyes were closed, and the tongue protruded a little way out—just as I was doing this, the prisoner was standing at the foot of the bed, and fell back in a chair, and said, “Oh dear, this is a shocking job,” or “a shocking thing,” (I am not certain which,) “I shall lose my place and character”—I sent for a surgeon, who came and examined the body—there was a watch-stand standing on a night table, close to the head of

the bed, between that and the window—there was no watch in it—I also saw a Russia leather little box, and a mahogany box, which I have here, and two note cases—(*producing them*)—here is the watch-stand, the Russia box, the mahogany box, and the note cases—the note cases were lying side by side on the night-table—the Russia case was opened, and the silk note case also as they are now—there was nothing in them—upon finding these things, I asked the prisoner if there was any thing missing, pointing first to the watch-stand—he said, “Yes,” the watch was gone—I asked him if his lordship had any money, much money about him—he took hold of this note case, examined it, and said, “Yes, there was a £10 and a £5 note in that yesterday in the box”—that is the brown note case with the blue border—I asked him if there was any thing else missing—he said he did not know, he did not think there was—I proceeded to make further search—there was a book on the floor by the side of the bed, with a pair of spectacles in it—it was on the same side, between the bed and the window—it laid open with the spectacles in it—I asked the prisoner, “How did this book come here?”—he said, “I left his lordship reading that when he went to bed last night”—I searched this Russia box, and found in it a gold ring, a spectacle-case, and two coins, one is copper (I do not know what the other is) and this old note case, which is a third one—that is all I found in that box, except two or three bits of paper—this mahogany rosewood box contained two tooth-picks and two medallions—I then went to the table between the two windows—between the window in front of his lordship’s bed, and the middle window—I found a silver candlestick upon it—I have called it a table, but it is a book-shelf, not a table—it had a top to it, and the books were below—the candle was burnt out with a little snuff in the bottom—I have it here—(*producing it*)—that was standing on the book-shelf, five or six feet from the head of his lordship’s bed—a person lying on the bed could see to read by the candle, because it was right in front of the face.

CORR. Q. Could a person who was lying in bed reach that candle?

A. No—no person could reach it from out of the bed.

MR. ADOLPHUS. Q. I believe after this, the surgeon came and examined the body? A. Yes—I found no instrument by which the wounds could have been inflicted—there was no such thing near the place, I mean not near the bed—there was in the room—it was not within reach of any body in the bed—on the book-shelf, near the candle, I found this Russia case with four ivory *rouleaus* for sovereigns in it—I have not examined to see how many sovereigns they would hold—I asked the prisoner if there was any thing missing from there, pointing to the book-shelf altogether, he said, “Really I cannot tell you, but Ellis knows” (Ellis was the late valet to Lord Russell—he is now with Lord Mansfield) the little Russia box was standing open—the tray was separate from the box—the prisoner told me it belonged to the box—on the next table, between the other two windows, I found a pair of boot-hooks, and a gold pin—I looked at it, and the prisoner picked it up, and said his lordship wore that yesterday—I found a quantity of silver articles on the table where the looking-glass stood—in the corner of the room near the last window—the looking-glass was on the table, a shaving-box, and these silver articles all about the table, as a gentleman’s dressing-articles would be—there is a crest on them all, I believe—there was an eye-glass, two razors, and some other things—there was no blood, or the slightest mark on either of those razors to denote that they had committed the act

—there were four other razors—I say the same of them—there were half-a-dozen walking canes in the room, four of which have gold about them—on finding these things I said to the prisoner, “It is a very curious thief to leave all this valuable property behind”—he said, “It certainly is very strange”—I did not ask him any thing after that—I then went to the next table, upon which was a dressing-case, which had been wrenched open—I am now speaking of a little table at the foot of the bed, near the fire-place—this is the dressing case—(*producing it*)—it was standing in this way, with the back of it towards the bed—the lid was on it, a little way out of its place—it had been wrenched at the hinges, and I consider that was done after it had been unlocked—it was still locked—the lock remained up—I consider that it was unlocked before it was wrenched, and the hinges afterwards wrenched, forced back, without any instrument—it appeared to me that the box being locked had been opened with a key, the top thrown back, and the hinges broken, and then locked again afterwards—a bunch of keys were found in the back drawing-room, one of which fits the box—Mr. Weymouth, I believe, has them.

COURT. Q. You say you suppose the dressing-case had first been unlocked, and then the hinges wrenched back—can you give any reason what you form your judgment on? A. Because I consider if they broke the front part they would not have wanted to break the back—they are inside hinges—there is no mark at the back of their having been prised.

MR. ADOLPHUS. Q. Could it be opened from the back without some mark being left? A. I think it must have left some mark, but I am only giving my opinion of it—after the prisoner and I had examined that box I said, “Is there any thing missing from here?”—there were five gold rings in that dressing-case, and four glass bottles with silver tops—we were counting them—he was looking at it with me—when I asked if there was any thing missing from there, he said, “Yes, five gold rings, which his lordship wore yesterday”—they were missing—here are four mourning and one gold chased ring—when he spoke of the five rings his lordship wore yesterday, he meant five other rings—he had looked into the dressing case when he gave me that answer—I asked him if there was any thing else missing from there—he said, “I can’t tell you, but Ellis can”—from there I went to a cupboard, in the left-hand corner as you enter the room—I there found four silver-mounted tobacco-pipes and an opera-glass—I then examined the wardrobe—I asked the prisoner if there was any thing missing from there—he said, “I don’t think there is”—the locks of those places were perfect and uninjured, and the hinges not touched—I found a rushlight-stand with a rushlight in it—about a third of it was burnt—the prisoner told me, when I looked at it, that his lordship always had a rushlight burning at night—I asked him what time his lordship went to bed last night—he said, “About half-past twelve, or a quarter to one o’clock”—there was a key in the bed-room door, inside—I asked the prisoner if his lordship locked the door of a night—he said, “No, he never did”—I do not believe I made any observation on the door—the door opens and shuts very gently—I do not think a person lying in bed could hear it if they were awake, when the carpet is down, it is impossible—I went from there to the front drawing-room—there was nothing there worth noticing—I then went to the back drawing-room, which is a room in which there are books—I found the Davenport writing-desk turned round a little, moved a little out of its place, and some papers lying on the ground—the papers inside were in confusion, and appeared dis-

turbed—I saw a screw-driver on the chair which his lordship used to sit in to write—I believe Mr. Pearse has it—there was a bunch of keys lying by the side of the Davenport writing-desk—I asked the prisoner if the screw-driver belonged to the house—he said, “I believe it does”—I asked him, “Did his lordship use it yesterday”—he said, “I am sure I can't tell you,” I then went into the front parlour, or dining-room—I found some drawers in the side-board pulled out, and plate and plated articles lying about on the floor—I said to the prisoner, “Is there any thing missing from here?”—he said, “Some spoons and forks, but I cannot tell you how many at present;” I do not think there were any left—I found a cloak, an opera-glass, and a great many things in the passage—I asked the prisoner if they were his lordship's property—he said, “Yes”—I said, “No thief would ever leave this property behind”—he said, “It is certainly very odd”—I asked him if he had locked the street-door at night when he went to bed—he said, “Yes”—he showed me how—he put up the chain, and locked it, and put the two bolts to—he showed me just as he had left it the night previous—the upper and bottom bolts bolted—I asked how he found it that morning, and after he had unchained, unlocked, and unbolted it, and put the spring of the lock back on the hook, he said, “As you see it now”—the area door of the front kitchen was undamaged, nothing arises from that—there is a door at the end of the street-door passage which goes into the yard—half of that door is glass—that door was not disturbed or moved in any way—the chain was on it, and it was bolted—it had never been disturbed at all—there is an inside shutter to that door, but it was down—it could be taken down without undoing the fastening of the door—it is an inside shutter, it slips down—it shuts up the glass part—when I saw it, the shutter was not placed against the glass—it was the same as it is kept in the day-time—the glass was unbroken—there was not a mark on that door—the area gate was entire—nothing had happened to that, it was locked—that is the area that leads into the street—there is no gate to the back area—I afterwards went into the pantry and saw a press there, in which were some drawers—those drawers were open—the top one was forced, as if it had been done by a chisel or screw-driver—the lock was sprung, as if it was left locked, and forced open in that state—the articles in the drawers were disturbed—there is a window in the pantry—I asked the prisoner whether the window had been fastened that night, whether the window-shutters had been put to, and whether it was fastened—he said, “I do not think it was, I can't say exactly, I am not certain”—I then went to the back door on the basement story, that was found bruised, as I have stated, very much—the prisoner assisted me to examine that door, and pointed out some marks which I had not seen before.

Q. Did you say any thing to him on the examination of that door?
 A. Yes, I said, “Some of you in the house have done this deed”—he said, “If they have I hope they will be found out”—I said, “There is not much fear but what they will”—I looked about to see how any body could have broken into the house—I examined this wall (*pointing out on the model the wall between Nos. 14 and 15*) but could not see any mark of any one having come down that way—there were some slates near the top of the steps, which I should think must have been disturbed by anybody descending that wall, but I could not say exactly—I saw Baldwin going up the steps to examine it—I should think no one could have got

down that wall without disturbing the slates—there was a quantity of dust on the slates, and that was not disturbed at all—I went up on the leads, but Baldwin and Rose were up there before me—there was a great deal of dust on it.

Q. Could any person or thing have trampled on that dust without making marks? A. I think it impossible—I think a man passing there must have left marks of his feet behind—the weather just before had been dry and windy—if a person got over the opposite wall, that is Sir Howard Elphinston's house—I should think they could not have got into Lord Russell's house that way—I examined that carefully and could see no mark—the other constables had not been there—there is a water-closet—they could not have got to the house without getting on that water-closet, and I should think they could not have got on the water-closet without disturbing it—it was not disturbed at all—there is a deep area on the other side of that wall, much deeper I believe than on this side—I examined it, I did not measure it.

Q. Did you go with the prisoner into his own bed-room? A. Yes, he showed it me—he took me up stairs—I there found a purse containing a 5*l*. Bank of England note, and six sovereigns—I gave them up—I asked the prisoner how he got that note—he said, he gave his lordship change for it a day or two ago, and the rest of the money was his own, he had had it some time—he showed me his box which contained his linen—I examined every thing in it as I went along, but saw nothing to tend to explain this case at all—he had the key of the box himself—it was left in the room—I left it with him—he left the box open every day.

Q. What had he on at the time? A. In the morning a sort of round morning jacket, and a clean shirt, apparently a very clean one—the prisoner was from that time, though not in custody, yet under the watch of the police, and the female servants also—care was taken to prevent their having any conference with one another—the prisoner was not debarred or hindered from going to his own room if he pleased—he was taken into custody on Friday, the 8th of May, in the afternoon part—he was not taken out of the house till Sunday night, but there was a constable with him constantly in the room, from Friday till Sunday—he was not exactly in my custody, but there was a constable with him—he was taken to the station-house on Sunday night, the 10th, and before the Justices, at Bow-street, on the Monday—there were several examinations, and he was finally committed—on the evening of the 13th, while he was in custody, application was made for some linen for him—his uncle came to the door, and said his nephew wanted a clean shirt and stockings—I did not see the prisoner afterwards, so as to let him know what his uncle had said or done.

COURT. Q. What did his uncle ask for? A. He came to the house and said his nephew wanted some clean linen—I had had directions to send him whatever he required—I did not go up with the uncle to the place where the linen was.

MR. ADOLPHUS. Q. Did you go up to the box? A. Next morning I went up with sergeant Lovett—I did not send the linen that evening, as I was going to Bow-street myself next morning—I went up with Lovett next morning, took a shirt out, unfolded it, held it up by the collar, and these gloves dropped out of it—(*producing a pair slightly stained with blood*)—I first unfolded the shirt on the bed, and shook it,

and these gloves dropped down into the trunk—they are such gloves as servants wear when in attendance on their masters, white cotton gloves—I had not seen those gloves when I examined the trunk before.

Q. Had you examined with sufficient accuracy to tell whether they were there? *A.* I pulled the things out, and laid them on the bed, but I certainly did not examine so accurately as I did then—I had unfolded them, but not shaken them—the gloves dropped down when I shook it—I did not perceive them when I unfolded it—I unfolded the shirt, and did not find them before, and I unfolded it then and did not find them.

COURT. *Q.* Describe how you unfolded the shirt this time? *A.* I undid it—I unfolded it, as if it was lying on a table or a bed, and then held it up and shook it—I did not find the gloves when I unfolded it, but when I shook it I did—when I first searched we unfolded the shirts on the bed—I and Beresford merely unfolded them.

MR. ADOLPHUS. *Q.* Did you make any further observation at that time on the linen? *A.* No.

Cross-examined by MR. PHILLIPS. *Q.* Have you one of the shirts here? *A.* Yes—I do not think I have a clean one—the prisoner had all the clean ones.

COURT. *Q.* Did you examine the prisoner's hands, to see if there were any scratches on them? *A.* I did—I noticed them that day, and also on that day when I took the gloves—I first examined his hands on the first day, on the 6th, when I examined his room—I did not see the slightest scratch or mark.

MR. PHILLIPS. *Q.* Did you consider it your duty to examine the trunks of the different persons in the house when you were first apprised of this melancholy transaction? *A.* They all wished me to do it, both the prisoner and the other servants—I did do it—I examined the prisoner's trunk, to see if there was any weapon or any article with marks of blood on it—I satisfied myself on that subject—I searched as carefully as I possibly could.

Q. Mind the form in which I put this question; when you talk of the morning of the 6th, is this true, that you "found two shirts, which you looked at, and found them free from spots?" *A.* Yes—there were several shirts—on the 14th I unfolded the shirt which I was about to give for the prisoner's use—I unfolded it in the same way as I did in the first instance as nearly as possible, I think—on the 6th I took out every article in the trunk—I and the prisoner both replaced them—I assisted him—whatever was done by him was done in my presence—the prisoner had access to this room, and several of our men and the women also—there was no speck of blood on any thing that I saw in the trunk on the 6th—there was no mark on the area-door with the glass to it, on the 6th—I examined it for the purpose of seeing whether there were any marks.

Q. Now, I ask you, not who may have done it, but are there not a number of marks now on that very door which had none on the 6th? *A.* There are, and also on the post of that door—they appear to have been made with some kind of instrument—the prisoner was under the inspection of the police from the very time of our entering the house—my orders were to keep them separate—that is what I mean—sergeant Pullen was appointed over the prisoner—he is with me at the house now, and Cronin, a constable, who is here—I did not find any weapon in the prisoner's trunk on the 6th.

MR. ADOLPHUS. Q. You have been asked about unfolding the linen; did you, either on the 6th, 13th, or 14th, when you went for the shirt, do more than lay it down and unfold it, as you would linen you wanted for yourself? A. I have said I shook it—I unfolded it and shook it—on the 6th I only unfolded it.

Q. In that unfolding might a pair of gloves be in the shirt and you not see them? A. I cannot say—there might be—when I held it up by the collar, and shook it, every thing that was in it would come out.

Q. Was the extent of your inspection of the prisoner such as to prevent any body from visiting and speaking to him, or only to prevent the women? A. Only to prevent the women—nobody could have any conversation with the prisoner but ourselves—it was to prevent any body having conversation with him—that was the inspection under which both he and the females were placed—I was not present when the marks were made on the glass door—I did not see who made them—I know nothing, of my own knowledge, of any being made—I had charge of the premises, that is all.

COURT. Q. Did you order any to be made? A. No—I only had charge of the premises.

MR. ADOLPHUS. Q. There were none on the 6th, but there were afterwards? A. Yes—they are there now.

WILLIAM ROSE (*police-constable D 124.*) I went to Lord Russell's house on the morning of the 6th—I went into the back yard with Baldwin—we examined the wall between Nos. 14 and 15—(*looking at the model*)—this little edging represents some slates which are let into the wall—they project about as much as this in proportion—that edging of slate was not in the least disturbed or interfered with—the wall itself is white-washed—I did not observe the least marks upon that wall, not before I made any myself—I saw the lead flat, which covers a stair-case on the other side of the wall—I went up for the purpose of examining it—I went first—Baldwin was with me as far as the lead—there was a deal of dust on that lead flat—there was no mark on the dust, as if any person or thing had crossed it—I tried whether a foot or hand placed on it would leave any impression—there was sufficient dust on the lead to write your name in it—I also examined this small building on the opposite corner—it is covered with a tiling—this black line represents a board in front of the tiling, to throw the water off—what is called weather board—neither the tiling or board was at all interfered with—that piece of weather board is quite strong enough to bear the weight of a man—I examined the premises on the other side—it is a mews, I believe—there is a bottle rack in the back yard of the next house—I went over the leads of Lord Russell's house on to the leads of No. 15—I did not go into the premises on the other side.

Cross-examined by MR. CHAMBERS. Q. Was it a windy night that night? A. I was not on duty at all that night—I was in the morning—it was very cold then.

HENRY BERESFORD. I am an Inspector of police. I received information at the station-house about ten minutes past six o'clock in the morning of the 6th of May, and went to Lord Russell's house—after looking at the body I went down stairs to the bottom of the house, to a door which leads to the area at the back—I examined that back area door and saw several marks upon it, and also on the door-post—my impression was at

first, that the marks had been made with the door open entirely—I looked at the marks on the door-post—I could scarcely tell with what instrument they had been made—my impression was then that they had been made from the inside, and with the door open—upon further inspection and examination that opinion was altered—I think the marks were made by inserting some instrument between the door and the door-post—the door and door-post do not close exactly, and some instrument had been inserted—I think the marks were made by a person standing outside the door—they might have been made when the door was bolted and fastened, but I think the door was merely on the latch—I think the instrument could not be inserted sufficiently if the door was bolted—that is merely my opinion—the marks did not appear to have been made with a chisel, but I should say with a hammer—I tried that experiment with a hammer upon the half-glass door up stairs leading into the yard, and Pearse also tried—when I first went to the house there were no marks on that door, but Pearse afterwards took me to show me the experiment he had made—the marks on the door and door-post of the back area door were not on the same level—the marks on the door were something lower—(*part of the door and door-post were here brought into court*)—when I got there the socket of the top bolt was lying on the ground—I examined it, and could see some instrument had been put into the socket—it was a dark instrument, as it had left a black mark—it was such a mark as might be left by a poker—that mark could not have been made when the bolt was shot or fastened—the socket was inside the door—I looked at the lower bolt—the socket of that bolt was not injured—it appeared as if it was slightly sprung, but on more particular examination I do not think it was—it was merely from rust and decay—it is much decayed—the bolt would not act in it—I attempted to bolt it, and it was with the greatest effort I could move the bolt at all—this is the first rail of the door and the door-post—this is the outside of the door next the yard—these are the marks I allude to—one is below the other—if an instrument had been put in, which it must be to get a purchase, it would be quite impossible to do that without injuring this edge of the door, as the point of the instrument must necessarily fall on the edge of the door, and there is no injury whatever on the edge of the door—there is a mark made, but that is not the means by which the door could be prised open from without—there are a great many marks in the place where the bolt never met the socket—the door shuts in a rabbit—here is no mark on the edge even opposite all this violence—(*the witness pointed out to the Jury the various marks on the door and door-post, to which his evidence refers*)—there are marks of violence on the door-post by the lower bolt—I believe these marks to have been made with a screw-driver or chisel—I am speaking of the marks outside on the door-post opposite the door-bolt—there are no marks on the door opposite to this to correspond with them, scarcely any violence at all—there is one impression, but nothing to correspond with the violence on the door-post—to make the violence on the door-post the instrument must catch here—the next mark is what I have described, as I suppose being done with a hammer—that mark is about six inches below the handle of the latch outside, and is both on the door and on the door-post, one slightly below the other, that on the door being the lowest—I should say both those marks were done from the outside—I am quite certain they were made at the same time, and when the door was closed, from the experiment I

tried on the other door—they were certainly not made with sufficient violence to prise open the door—I am quite satisfied of that—not if the top bolt was bolted—if the latch only were latched, it would be sufficient to resist the violence made, even if unbolted—between that and the top there are five marks of exactly a similar nature, with more or less violence—why I feel certain the latch would resist it, is because I tried the upper door with only the latch, and I could make quite as much violence on that door with the latch only resisting, without any bolt—nearly opposite the top bolt outside there are two marks which I have described—I should say all the marks, except those at the bottom bolt, were made with the same instrument—I have no doubt of it—there is certainly not sufficient violence to the top bolt to have forced the socket off from the outside, if it was bolted—supposing the door to have been prised open from the outside, the bolt could not have forced the socket off in the way in which it appears to have been forced off—there are marks inside the socket which it is impossible the bolt could have made—it could not have been forced from the outside without making considerable violence on the door—the mark is partly destroyed, because the plastered wall comes up to the door, and in taking the door away the impression was partly destroyed—it could not be avoided, but still here is the mark of the impression—when I first saw it the dust had come down upon it, and it was evident that the socket had been taken off from the inside, with the door open, because I shot the bolt and found it would not make the marks here made, because it would not touch them—it would not reach this mark within half an inch—I felt quite certain it could not have been made by the bolt itself—the mark of the instrument appeared to have been recently made, because on the end of the instrument reaching the mortar, it had made an indent there, and the dust was there—it had been made within twenty-four hours, I should say—I believe there are no other marks inside the door-post—here is the socket—I found the door would not shut within a certain distance, and this piece of wood was put on to show the exact distance the door would be open in its natural state—it was nailed on to prevent it going further than it would before—it is in the state it was before—the bolt will not reach this black mark here, nor will it touch any of the marks that appear here.

JURY. Q. The wood of the door-post is not at all rotten, is it? A. Not that I can perceive—the nails are all bright now, but they were rusty.

MR. CHAMBERS. Q. Were you in Lord William's bed room when you went to the house with the prisoner? A. Yes—I went up with the prisoner and Tedman almost immediately—I wished to see the body—I almost immediately asked the prisoner all the articles that were missing, that I might circulate them through the police generally—I asked him to describe them as nearly as he could—among other things he described a gold watch, but not at that time—he kept saying, "You had better send for Ellis, Ellis knows better than I do"—he mentioned several articles only slightly, and said Ellis would know much better than him—I went down and examined the door, and afterwards went up and had all the articles described as well as he could tell me—I went down and examined the door, and afterwards returned up stairs with him again—it was then he gave me a description of the articles, after my return to the bed-room—he mentioned a gold watch, and showed me where it always stood, in a case alongside his lordship's bed—he said it was a gold watch with three seals

attached by a black ribbon—he told me the watch was made by a foreign or French maker, but he could not tell me the name, but it had “Lord William Russell” engraved on the case—that is all the description he gave me about the watch—he said one of the seals had Lord William Russell’s coat of arms on it—he said he knew it was something about a goat, but all at once he said he would go and get me the impression of his seal—he went and got a wax impression—in the course of the day I went up into the prisoner’s bed-room with Tedman and the prisoner—I believe Mr. Mayne was there too—that was the first time his box was searched—it was about the middle of the day on Wednesday—in a black trunk or box between two waistcoats, about the centre of the box, I found a chisel—this is it—(*produced*)—when I first went into Lord William Russell’s bed-room, I had seen a rushlight shade, with a rushlight partly burned—I afterwards received a rushlight from one of the servants, I believe Sarah Manser—I lighted it and tried the experiment how long it would take to burn down as far as the one I found in the room—it took about half-an-hour as near as possible.

Cross-examined by MR. PHILLIPS. Q. Did you find the door of the prisoner’s chamber open? A. When I went up to search his box, I really will not undertake to say whether it was or not—it was not locked, certainly, at all events, I should say—I really do not recollect whether it was open—I do not know that there is no lock to the door—I never took that notice—I really do not recollect whether there is a lock to the door or not—I was not in the house when you and Mr. Clarkson went up to that room—I do mean to say that I do not recollect whether there is a lock; I believe there is, but there may not be—if I have any belief, it is in favour that there is a lock, but there may not be—the trunk was not open—while we were searching the bed I ordered the prisoner himself to get the trunk open for my search—I suppose he opened it, but we were taking the clothes off the bed very carefully one by one, and I really cannot tell I did not notice whether the trunk was locked or not—the same search was made of the two female servants as of him—I cannot tell whether the trunk was locked or not—I should say I took about half of the things out before I came to the chisel—I certainly took the things that were at the top of the trunk, off.

Q. Did you go to examine it, or had you any specific object? A. On finding the marks on the door, my impression was that they were not made by a house-breaker, and that no house-breaker had got in, and my wish was to examine all the trunks to find if there was any thing suspicious—I went to the trunk for the purpose of examining its contents—I took them out—I did not undo every article—I do not think I took all the articles quite out, for when I got just to the bottom I believe I turned them from one end of the box to the other—I examined sufficiently to convince myself that there was nothing suspicious to be found.

MR. CHAMBERS. Q. Was there more than one trunk or box examined there? A. There was—I examined a black trunk, or I should better have described it as a portmanteau—the prisoner saw me take the chisel out—he did not make any observation.

Q. Did you open any of the articles? A. I think I recollect two shirts—I opened them merely to look at the wristbands—I did not shake them nor turn them out.

NICHOLAS PEARSE. I am an inspector of the A division of police. I first went to the house of Lord William Russell on Wednesday, the 6th

of May—after being up stairs I went to the lower part of the premises—I examined carefully the marks on the door and door-post of the door leading out into the back area—it was not my opinion that it was done for the purpose of breaking in—I arrived at that conclusion after my examination—the socket which receives the bottom bolt was on—the upper one was forced off—that appeared to me to have been done by some instrument put into the socket when the door was open, and the instrument wrenched both ways to prise it off—I think that was the case, by the marks on the wood of the door-post—it was on Thursday I more particularly examined it.

Q. Explain what marks satisfied you that it was forced off by an instrument put into it? A. The top nail was in the socket, and the other nail was at the bottom of the door outside, and the nail bent—when the door is bolted, the bolt does not come to the wood by half an inch—there is a mark on the wood, and the wood is driven back by some instrument, and it appears very recently done—I found marks at such a distance that the bolt, when shot into the socket, could not reach them—I have no doubt those marks were made at the time the socket was forced off—I found this poker (*produced*) in the fire-place in the pantry—it is bent—it was in the same state when I found it as it now appears—such an instrument would make similar marks to those of which I have been speaking, on the wood—I found a screw-driver on a shelf in the same pantry—I applied that to some marks on the door, and it corresponded with them—I found this hammer (*produced*) in a cupboard in the pantry—I fitted this to some marks on the door and door-post, and it corresponded with them, by placing the claws of the hammer between the door and door-post when shut, on the outside—supposing the door to have been bolted inside, the pressure caused by the claws of the hammer would not have been sufficient to force it open—it would not be possible with such an instrument to force that door inwardly, supposing it to be bolted inside—the marks by the upper bolt and socket could not possibly have been made by a person on the outside, supposing the door to have been fastened—I found the bottom socket started from its place, but not off—the bolt was rusted in the socket—I should say it had certainly not been used lately—there were marks of violence by that lower bolt—that violence would not be necessary, supposing the bolt had not been shot—I found some marks near the bolt, which, in my judgment, could not have been made if the lower bolt had been shot—(*pointing them out*)—here is a mark on the rabbet, as if an instrument had been put in from the outside between the door and door-post—if the bolt had been shot, that could not have been done—there is a mark on the outside which corresponds with the mark I have alluded to—that mark apparently done by an instrument such as this screw-driver—a person outside could not have made the mark inside in the rabbet—he could have made the mark on the outside.

Q. From all your observation and examination of the door and post, in your judgment did any person break that from the outside or not, to enter the house? A. Not to enter—some of the marks were made outside when the door was to, and some of them when the door was open—a breaking into the house could not have taken place by means of that door, not by the marks made—I made some experiments on the half-glass door, on the ground-floor—some were made only last Saturday, and some before—till those experiments were made, that door was uninjured, and unmarked in

all respects—I made the first mark on it myself with the hammer—I made those experiments to see if such an instrument made such a mark as we discovered on this door, and it appeared to do so—there is a latch on the half-glass door—an experiment was made on that door while it was on the latch—it was made with a hammer, by placing the claw of the hammer between the door and post, and pressing the handle down—the latch resisted the pressure—it made a similar mark to those on the door below, equally deep—I found this pair of tongs, which I applied to this part of the door of the safe in the pantry, which had been forced open—(*producing it*)—the mark on this appears to have been made with the tongs—it is a black round mark—I also found a chisel in that room—I compared the screw-driver with some marks on the safe, and there were two marks which appeared to have been made with that.

JURY. Q. Was the bolt shot when you tried this to the door? A. Yes—it was placed back with very little difficulty.

COURT. Q. That is the bolt of the lock of the pantry safe? A. Yes.

MR. BODKIN. Q. On the Thursday did you make any inquiry of the prisoner about any missing property? A. Yes—I asked him if he knew what money or property had been taken—he said he had seen a 10*l.* and a 5*l.* note in a purse a few days ago—I asked him where the plate was kept that was found in the passage—he pointed out a cupboard in the sideboard in the dining-room—I do not think he mentioned any other things as having been missed—I searched the prisoner's box on Friday—Shaw, a constable, was present, nobody else—I was not there at any time with Tedman when any search was made in his room—there was a portmanteau, a deal box, and five drawers in the room—I turned the things out—I did not find any thing that attracted my attention—I saw the shirts—I cannot say that I opened them—to the best of my recollection I saw two clean shirts—they were in the portmanteau, to the best of my belief—on the same day, Friday, I made a search in the prisoner's pantry—at that time work-people had been brought into the house to open the drains, and make search of that kind—they had taken up the drains—I commenced my search by the side of the fire-place, between the fire-place and the sink—the sink is near the fire-place, under the window—(*referring to the plan*)—this is the sink in a recess under the window, just at the corner of the fire-place—I took off a piece of skirting-board which runs from the fire-place to the corner, meeting this piece which forms the angle on to the sink—(*producing the two pieces of skirting*)—I took this piece down first—this is the piece that faced me—when I pulled that down I saw the purse which I now produce—it was about two inches in behind this piece of skirting which remained—I perceived that the mortar had been disturbed before I took this piece of skirting away—I found in the purse five gold coins—one was in paper—five gold rings, one a wedding-ring, and a small bit of sealing-wax—(*The coins were here produced*)—I then took away this piece of skirting-board which ran under the sink, and found this silver Waterloo medal, and a little further on this £10 Bank of England note folded up—it had nothing round it—the place from which I took it was quite dry—it was very near the fire-place—the prisoner was in the dining-room at the time I found these things—I went up there directly after finding them—he was, to the best of my knowledge, sitting down when I went into the room, but I saw him standing up—I think constable Collier was with him—there was a constable in the room—I

took the things I had found up with me, took them out of the purse, and laid them openly before him, and laid the note on the table before him—I said, “I have found these things concealed in your pantry, behind the skirting-board”—he said, “I know nothing about them, I am innocent, my conscience is clear, I never saw the medal before”—I took him down into the pantry, and pointed out to him the places from whence I had taken the things—he again said, “I am innocent—I know nothing about them”—he remained in the pantry for some time, and I proceeded in my search while he was there—a water-pipe goes round his pantry, and continues into a scullery adjoining it, into which there is a door from the pantry—one of the workmen was removing the pipe which goes round into the pantry, between the pantry and the door leading into the vault—Collier was on my side, and I heard some one say, “There is a ring”—I saw the workman put up his hand behind the pipe, nearly to the bottom part of it, and take the ring from the pipe, and I took it from him—it was one of the men employed there—this is the ring—(*producing it*)—it is a split-ring—I continued the search—a pen-mender was found in a drawer in the pantry—the things I have mentioned were all I found secreted below on the first search—after searching below I went up to the prisoner’s bed-room, and there searched his person—I found about 5s. in silver, a small locket, and a small bunch of keys on him—I did not apply any of those keys to any of the drawers or doors in the house—there was a variety of keys of different sorts—the name of Lord William Russell is on one of the rings of the keys—he said the locket was his own—I have no reason to believe to the contrary—I then again went below into the pantry, but found nothing more—other officers were pursuing the search, assisted by workmen—I saw the hearth-stone taken up the same afternoon or evening, after the split-ring had been discovered—I think the prisoner was not there at the time—I did not myself see any thing found there—the hearth-stone was very firmly fixed in the ground—I should say it had not been recently removed—I did not perceive any chink or opening between the flooring boards and the hearth-stone—I received this tea-spoon and salt-spoon from Sarah Manser—(*producing them*.)

Cross-examined by MR. CLARKSON. Q. I think I understood you to say that you made some experiment with the door leading into the back-yard? A. Yes—that is the door which is partly glazed—I also made the experiment on the door-post—it was done at the same time—I am the person that did it—I did both at the same time—I did some on Saturday last, and there were marks some time before—I cannot tell the date—it might have been a week.

Q. Are there any marks either on the door or posts of the door that were not made by yourself? A. Yes—I think there is one—that was made in my presence by a man named Craker, a carpenter.

Q. Now, for the purpose of pointing out to the jury the result of your judgment of the violence you found on the door before you, you have cut away part of the door, and brought here? A. I had formed my opinion—it was not from the result of my experiment alone that I came to my conclusion with reference to this door.

Q. Did that assist your judgment? A. It confirmed it—the comparison of the marks I made on the other door and post confirmed my judgment that a similar instrument would make such a mark—I did not

think it requisite to bring the other door and post here—I thought what was brought quite sufficient for the jury to form their judgment—I made the experiment to show Craker that a hammer would make such a mark—that was partly the reason why I made the experiment—I certainly applied the instrument in the presence of Craker, just to see that a hammer would make such a mark—it was not with the hammer that is produced to-day that I made the experiment, but a similar one—not the hammer to which I attribute these marks, but a similar one.

Q. Why not use the same? *A.* Being fearful it might get out of its place, so that I could not produce it in the state in which I found it, I was fearful I should alter the state of it—I have not the hammer here with which I made the experiment—the glass-door is not here, and I have not brought the hammer—it did not occur to me that I should be asked whether the hammer was the same or not—if it had, I should have brought it.

Q. Were there any experiments besides the one which you have spoken of, made by any body but yourself? *A.* I do not know—Inspector Beresford was there—I did not see any—I saw Craker apply a pair of tongs to the glazed door—I have seen it put to, to compare the marks with the tongs—I never saw the tongs in the Commissioner's hands—I saw a man named Christie, who, I believe, is a builder or carpenter—I do not know that I ever put it into the hands of any person, but several might have seen me do it—no one did it that I recollect but myself—I do not know that any one made the experiment with the tongs besides those I have named—Beresford might have done it—I do not recollect seeing the tongs in his hands—Collier did not have the tongs in his hands in my presence, not to my knowledge—no, Collier had not the tongs—I think I can safely say so—he did not have the tongs in his hands making the experiment in my presence—he stood by and saw me compare them—I have no recollection at all of ever having seen the tongs in his hands—there was no other instrument used to try any experiment on that door but the tongs and the hammer—I remember some gaping experiments on the door-post at the edge, two or three pieces out at the corner—I believe they were made with the hammer—I must have made them, because I was the only person that applied the hammer—if I saw the door I could tell—I made as many as eight or ten, and I have no doubt I made the marks you allude to, because I applied the hammer—I have every reason to believe I made those marks—I know I made marks, but whether those are the marks you have seen I do not know—there is a mark on the door, and one on the post—I will not swear I made all the marks on the door and door-post—I will swear I made half of them, and more than that—there is one mark of the tongs which Craker made—there are about twenty marks I should say on the door and door-post—no marks were made with this screw-driver in my presence or to my knowledge—I never saw any marks on the glass-door that had the appearance of having been made with this screw-driver—I think I last noticed that glass-door on Monday—I did not receive any orders from my superiors to make the experiments—I did not ask permission of any body to make those experiments before I made them—they were all made after the last examination before the justice—they were not made at the suggestion of any body, but at my own—I have not brought that door and post with me.

Q. Did you bring the door and post which are here to-day by order of your superiors? *A.* Not by the Commissioners, I proposed it—I had them taken away—the parts of the door cut down—that was done by my orders

—I had no instructions from any body to do so—I think Mr. Hobler told me to bring them here—I had told Mr. Hobler that I had applied the hammer to the glass door—I received no directions to bring that door here.

Q. Are there marks of violence on any of the wood-work you have produced which you assume to have been made by a chisel like this? *A.* There is a mark on a drawer which I saw the first day which such an instrument would make—I cannot positively say whether there are any marks on any of the wood produced which have been made by such an instrument as this—there are none here which I can speak to—I think if violence to any extent had been used on mahogany or any other hard wood with an instrument like this, it would show that violence had been used to it.

Q. Then this chisel, in your judgment, is not in such a state as you would expect if it had been used for any violence? It depends entirely on what force is used—I searched the prisoner's boxes on Friday, the 8th—Constable Shaw was with me—he went up with me—I believe I asked him to go up for the purpose of making the search—I consider that I made the search with every degree of minuteness—there was a black leather portmanteau and a box besides—those were the two articles in which the prisoner's things were—the trunk was not locked—it was shut down—I do not think it was strapped—there is a strap to it—one of the buckles might have been fastened—I do not recollect whether it was strapped or not, but I think not.

Q. What induced you to go up on the 8th to examine the portmanteau and box, they having been examined by Tedman on the 6th? *A.* I went to examine the dirty linen, and the coat, waistcoat, and trowsers' pockets, and to examine the clothes; for no other reason—when I make a search, and see any thing that may strike my attention (I may say a general search) I might go again, and be more minute than I was the first time—I generally make a search with every degree of minuteness—I went to make a minute search—I knew that Tedman had already made a search on the 6th—it was impossible for me to tell whether he made a minute search—I was not there—I had never heard he had made a minute search—nobody suggested to me to make a second search, I swear that—it came into my own head—it was on the 8th, the day I found the property—it was after I had found the property, I mean the concealed property—I saw some clean linen there—I looked at it, and examined it—I might have opened some, but I do not recollect that I opened every article I found—I do not think I did, I do not believe I did—I will not swear it, but it is my opinion that I did not—to the best of my belief, there might have been articles that I did not open—there was such a variety I could not examine every article that came into my hand.

Q. Did you not turn out from the box and portmanteau every individual article that was in them? *A.* I took them out with my hand—to the best of my belief I did not unfold the shirts—I do not think I have any recollection of opening the clean shirts—I think there were two clean shirts—I think there was only two—I am not certain that I unfolded them—I have no certain knowledge that I did do it, and to the best of my belief I did not unfold them—I took them out—I took out every thing, and put them on the bed, and left them on the bed—I did not put them back again—I saw the prisoner put them back—I had left the room, came there again, and saw the prisoner placing his things away—I put the shirts on the bed with other things.

Q. Now, will you have the kindness to repeat what you say passed between you and the prisoner when you say his answer to you was, "I am innocent, I know nothing about them—my conscience is clear?" **A.** They are about the exact words.

Q. I want to know what was the act done, or the words said by you, which preceded that observation of his? **A.** I said, "I found this property concealed in your pantry."

Q. What was the object of your making that observation to him? **A.** I thought it my duty to acquaint him, because I suspected that he had put them there—I thought as an officer I was in duty bound to do it.

Q. It was not to get a confession from him? **A.** I never tried it—it was not for that purpose—it was for no other reason than I thought it my duty, in that stage, to make the prisoner acquainted with what was found, and where—I naturally expected he would make some reply—it was impossible for me to tell what reply I expected.

Q. Do you really mean to tell the Jury, and to pledge your sacred oath to that answer, that in making that display of the things, and telling him that, that you had no object to obtain from him a confession? **A.** I expected he would make a reply—I suspected what he might say might be evidence—it might be for him and it might be against him—what I expected it is impossible for me to know—am I bound to answer the question, what I expected?

COURT. **Q.** You can state what passed in your own mind? **A.** I naturally expected he would make some remark, and I considered it my duty to make him acquainted with it.

MR. CLARKSON. **Q.** On your oath, did you hope or expect, when you produced the things, and made that statement, that you would obtain from him a confession, or any thing to that effect? **A.** I was anxious, decidedly, to do all I could in the case, but as to being anxious that he should make a confession to me, I was not particularly anxious. I felt an anxiety to arrive further into the state of the business—I am not aware that the question was an improper one.

Q. Did you do that entirely of your own suggestion? **A.** I suggested it first—Mr. Mayne, the Commissioner, was in the room—he is a Magistrate, I believe—I first suggested the producing of the things—I thought it my duty at once to make the prisoner acquainted with what had been found in the pantry—Mr. Mayne coincided with me—Mr. Mayne said, "Take the property up stairs, and let him see it," to the best of my recollection—Mr. Hobler was present, as well as me and Mr. Mayne.

Q. Now attend to this—did you not state this to the prisoner—be careful how you answer—"I have found these things concealed in your pantry; can you now look me in the face?"—did you make that observation? **A.** Yes, I made that observation with others—those were the words.

Q. On your solemn oath, why did you suppress those words when my friend (Mr. Bodkin) asked you the question, having, as you say, no hope or expectation of obtaining a confession from the prisoner? **A.** Why I should not mention to the Counsel that I found them concealed?

Q. No—you say you went to the prisoner, and in the discharge of your duty presented the things to him, and said, "I have found this property concealed in your pantry"—why suppress the remaining part of the sentence, "Can you now look me in the face?" **A.** I had no motive or reason for suppressing it.

Q. Will you now swear you did not expect to obtain a confession from him, when you said, "Can you now look me in the face?" **A.** It was impossible for me to say what he would say—I did not expect a confession—I have told you over and over my motive—I considered it my duty to do it—I thought it was no other than a proper question to put to him—I used no intimidation—I cannot say whether that might intimidate him or not—it was very likely to do so if he was a guilty man—I do not think the question I put was an intimidation—it might be taken in that light by the Court, but I did not think so—if I had thought so I should not have put the question—There is a reward in this case—I believe it is 400*l.*—there is also 50*l.* offered for the recovery of some plate stolen from his lordship's house—I do not belong to the same station as Baldwin.

Q. Do you expect to get any of the reward, if the prisoner is convicted? **A.** Very likely I may—I do expect it, in the course of my duty—if I should say no, I should say false—I have had nothing at all yet, not a farthing from any body.

Q. How long after the reward was offered did you make the discovery in the skirting-board? **A.** The property was found before I was aware there was a reward offered—I found the property on the Friday, and on that evening late, I think twelve o'clock, I called at the station-house, and found there was a reward offered—that was after all the property was found by me—I have not the least notion what share I shall get if there is a conviction—I am not aware that I shall get any if there is not a conviction—the reward is upon conviction—if the prisoner is not convicted there will be no reward—I never thought of a reward at the time I said to the prisoner, "Can you now look me in the face?"—if there had been any blood-stained articles in the prisoner's box, when I examined it on the 8th, I think I should have seen them—I believe I should have seen them, if they had been in the box or the portmanteau—I searched the prisoner's person, and found a locket on him—that locket was never claimed as being his lordship's, not by me—I have no reason to believe it is my lord's locket—I have reason to believe it belongs to the prisoner—I took it from him, because I thought it my duty to take what property he had from him, particularly such an article as that—I did not know at that time that his lordship had lost a locket—I did not see Ellis on the subject of this locket—I never heard Ellis say he thought it was my lord's—he said it was not—I think I did hear Ellis say he thought it was my lord's, whilst in the room, but not at the time I took it from the prisoner—I think I saw Ellis before I found the locket on the prisoner—I saw him in his lordship's house—I was not aware, till after the locket was found in the prisoner's possession, that there was one missing—that locket was not produced to Lady Sarah Bailey, to my knowledge—I was not present at the time she saw it.

JOHN CHRISTIE. I am a carpenter and builder, and live in the New Cut, Lambeth. On Saturday last, the 13th of June, I went to No. 14, Norfolk-street, and examined this part of the door and door-post—it was shown me by inspector Pearse—I examined it carefully—I saw some marks on the outside of the door, and also on the door-post outside—the marks of violence on the outside, were not, in my judgment, sufficient to have forced the door open if it had been bolted—if forced open from the outside, the marks of violence must certainly have been greater—I ex-

amed the socket of the upper bolt—I should say that had been forced off by a poker—by applying my magnifying-glass to it, I could see that by the grain of the wood—that socket could not have been forced off by the poker, if the poker had been used from the outside, while the door was closed—in my judgment, the poker must have been used after the door was opened—(*looking at the poker produced*)—I should say it could have been done by this poker—if it was bolted, they could not get the poker in—I am quite sure it could not have been done by the bolt.

Q. Supposing the bolt to have been shot into the socket, and the door forced open, could the socket have been forced off by the bolt, in the manner it is? A. No, I do not think it could, because the poker could not be used—the staple was on too fast for the violence used to force it off—the marks on the door do not appear sufficient—I see no mark inside the door-post where the bolt shuts against—there is plenty of room—the bolt does not go as far into the socket as the mark of the poker extends—I also observe some marks at the bottom of the door where the bottom bolt is—I looked at the bottom bolt and socket—I should not suppose from the appearance of the bolt that it had been bolted at all, very little, if any—the marks of violence at the bottom of the door near the bolt, were not considerable—part had been made by a screw-driver, and part by a poker—they had been used from the outside, when the door was closed, only on the latch—it could have only been on the latch, because I should say they could not get at it well without—I should have thought the instrument would have cut the door, if it had been done except when on the latch—(*The witness here pointed out to the Jury the several marks on the door, and door-post*)—here is the mark of a screw-driver—if it had been used to force it open, it would have marked the edge of the door with it—here is where the poker has been applied to it—besides the marks at the top and bottom, where the bolts are, there are three or four little hammer-marks outside the door and post—they do not appear to have been done with sufficient violence to force the staple off—from the whole appearance of this door, it is my opinion it was not opened with force from without—it must have been opened first before that violence was used—all these impressions were done while it was on the latch, and not bolted—I have seen this part of the cupboard door before, and have compared the tongs—there is an impression of these tongs.

Cross-examined by MR. CLARKSON. Q. If those tongs were applied to it two or three times to make examinations, that would be very apt to make a mark, would it not? A. That must have been done on purpose.

MR. CHAMBERS. Q. You speak of hammer marks, and screw-driver marks on the large door, did you compare a hammer and screw-driver with those marks? A. I did—here is the hammer and screw-driver—(*looking at them*)—they exactly correspond with the marks I find on the door.

GEORGE COLLIER (*police-constable E 38.*) I went to Lord Russell's house on the 6th of May—I examined the door and door-post leading into the back area—in my opinion from the appearances I observed, the breaking was from within—on the 8th of May, I assisted inspector Pearse in a search made in the prisoner's pantry—I saw Mr. Pearse remove a small piece of skirting-board leading from the fire-place to the corner where the sink is, and take a purse from there, and afterwards a silver medal, with a ribbon attached to it, and a £10 Bank of England note—Mr. Pearse then

left the pantry, and went up stairs to the prisoner with the things—I followed him up to the parlour—the prisoner afterwards came down into the pantry—I went on with my search about the place—I saw Mr. Pearse find a split ring—it fell from behind a leaden pipe, which is against the wall—the prisoner continued in the pantry some time while we were searching, three or four hours, I should think—I saw some rings in the possession of Pearse, which he took from behind the skirting—I did not hear the prisoner asked any questions about them—I heard him say he never saw the medal—he said nothing to Pearse about the rings, but he did to me—he was in company with me in the pantry, and I asked him if those were his Lordship's rings which Pearse had found—he said they were, and his Lordship had worn them yesterday—I asked him where his Lordship had put them when he went to bed—he said, “On the table, in his bed-room”—I asked him if his Lordship had a gold split ring—he said he had, and he used to keep his seals on it—this was not before the split ring had been found—I said to him, “It is a most shocking thing”—he said, “It is, I am innocent of it, but it would not look so bad against me had not the property been found in my pantry”—I said it looked very suspicious—he said, “I shall say nothing, at least, until I hear that the whole truth is told”—he was then taken up stairs and searched—he was then taken into strict custody—next morning I again searched the scullery, adjoining the pantry, along with Shaw, the police-sergeant—I assisted in taking down a plate-rack, and behind the leaden pipe, which runs close against the wall, and adjoining the plate-rack, I found this seal—(*producing it*)—I immediately showed it to Shaw, and marked it—it has a coat-of-arms on it—it was entirely concealed between the pipe and the wall—there was just room for it between the pipe and the wall—I searched another leaden pipe in the scullery, leading to the pantry, and found this signet ring behind it—(*producing it*)—it was behind the same pipe as the seal was found behind—the ring was bent with the pressure—it was squeezed down behind the pipe—the ring part was bent down exactly as it is now—it was close to the pipe, so that it could not be seen without feeling there—I was in the pantry on Wednesday, the 13th, when the flooring was taken up—I took the carpenter there—(I had still continued searching the drains and parts, and found nothing)—it is a wooden floor—from under the second board that was removed, which required some force to take up, the plumber pulled a handful of rubbish, among which was this sovereign, (*producing it*), which he gave to me, and I marked it—it was close to the door of the pantry into the scullery—on the following morning, Thursday, the 14th, I and Cronin went into the dining-room, and saw Tedman, and in consequence of what he informed us, we went up stairs, and in a portmanteau, in the prisoner's bed-room, I found these two handkerchiefs, one cotton, and one silk, near the top of the portmanteau; and likewise in the same portmanteau, this shirt-front—(*producing them*)—the handkerchiefs are both marked “B C”—there were a great many other articles of wearing-apparel in the portmanteau—I saw some spots or marks of blood on both the handkerchiefs—there are several spots—they are dirty handkerchiefs—I was present some days before this when that portmanteau was examined—I attended to the examination that was then made of it—I could not swear that I noticed either of these things then—I did not find any shirt any where, that this front would match—the handkerchiefs and front are in precisely the same state as when I found them.

Cross-examined by MR. PHILLIPS. Q. Was there any body present at the conversation you had with the prisoner? A. There was not.

Q. Did you tell him, in the course of that conversation, that he was sure to be hanged or transported? A. I never made use of such a word.

Q. And the prisoner did not upon that tell you he would speak nothing further to you whatever? A. He did not—I have stated the facts word for word that passed between the prisoner and me—I did not say, “Do you suppose for a moment that a stranger would have come and put these things behind the skirting-board”—nothing of the kind, and the prisoner did not say, “It is very strange”—Cronin was with me when I searched the portmanteau, on the 14th—I believe it was Shaw that I saw search the portmanteau some time before—I will not be certain, but I know it was searched—I am not sure it was not Shaw and Cronin, or Shaw and Staple, I was busy searching another part of the room, and did not pay much attention to it—I assisted in the examination—I could see what was going on—that might be three days before the 14th—it was some time between Saturday and the 14th—Saturday was the 9th—I believe the prisoner was sent to prison on Sunday night, the 10th—I cannot state whether the search was on Sunday, because nothing transpired to bring any thing to my recollection—I helped to search the trunk—we were searching it for several things, as a good deal of property was missing then—I knew the trunk had been searched on the 6th.

Q. And you went to look for spoons and forks, on the 9th? A. I went to look for several things—there was no bloody shirt found—I did not know what might be found—the inspector was as likely to overlook a thing, as me—I thought I might find the forks and spoons—it was on the 8th that I knew the box had been searched—I did not know it had been searched on the 6th—it was on the Friday, the day Mr. Pearse found the property that he and Shaw searched it—I never heard of Tedman searching it on the 6th, not up to this instant—I did hear of inspector Pearse and sergeant Shaw searching it on the 8th.

Q. And you went on the 9th, hoping to find a bloody shirt, and forks, and spoons, and some of the missing things? A. I do not know about hope—I went to see if I could find any thing—I went to search what I could find, or for any marks of any thing bloody, that is what I went to look for—I suppose it was searched with that same object, on the 8th—I suppose inspector Pearse and sergeant Shaw would not fill the stations they do, if they were not officers of some reputation—I have stated that I found the two handkerchiefs very near the top of the trunk—I did not overlook them—I found them directly—I took up one handkerchief first, and I and Cronin took it to the window—I did not take any thing else to the window before I took the handkerchief, because the rest was linen, and we could see—I did not expect any thing was on it—I took it to see if there was any thing on it—I could not expect about it, I did not know—I took the other to the window in the same way—I searched the whole of the box—it was not locked—the room door was not locked—I did not notice whether there was a lock on it—I had no charge of the trunk—there were a great many police in the house—sergeant Pullen is in the house now—superintendent Baker, and police-constable Humphries, and one or two of the C division—I should think there are eight or ten altogether—I will not swear to one—the handkerchiefs were lying very near the top, no one could search the portmanteau without seeing them, if they had any eyes

—I found the shirt-front after I found the handkerchiefs—near the middle, a little below, under the handkerchiefs—I should consider a torn shirt-front was a thing that would attract attention—it attracted my attention—I do not see how any one could miss seeing it, I could not, I know—if a person took each article one by one, out of the trunk, I do not think he could have missed seeing it, or the handkerchiefs either, if they had been there—I do not think the prisoner was in the house when I searched the trunk after the 9th—I cannot tell what day it was—I think it was after the Sunday, but I could not say what day it was—I do not think it was on Sunday—I think it was on Monday morning—I believe it was Shaw and Humphries who searched it with me—they searched more particularly than I did—I was searching other places—I helped a little—I mean to say I did not search the box minutely myself—I saw them searching—I was searching other places at the same time there, a band-box, and other things—they appeared to me to be minutely searching the box—I observed none of these things on that day—the prisoner was certainly not in the house on the Monday—any body might have access to that room, for what I know—my duty was below stairs—I found the door open—I cannot tell whether every body might have had access on that morning, for I was not there—I have not brought the trunk here—it is a moderate sized travelling portmanteau—I found it strapped—there was one strap on it—it was buckled—it was not locked, but there was one strap—it was about eleven o'clock on the morning of the 14th, that I went to search it—I cannot tell whether the other time was on the Monday, or not—I cannot tell what o'clock it was—if I could tell you what o'clock it was, I could tell you the exact day—I think it must have been in the afternoon—I should say it was in the afternoon, after two o'clock—it could not have been many days before the 14th, because Monday would be the 11th—if I knew how many days it was, I could swear to the day—I cannot tell whether it was two days before.

MR. BODKIN. Q. How many windows are there in the prisoner's sleeping-room? A. One—the portmanteau was standing near to the window, but it was more towards the middle of the room when I saw it—opposite the dressing-table—when I lifted up the lid of the portmanteau, the lid went against the table, in a line with the window—(*pointing out the situation on the plan*)—the window is at the back of the house—the front of the portmanteau was from me when I went into the room—as you enter the room, the portmanteau was on the left-hand side, and the window too—I should not think any person could fail to see those handkerchiefs when they looked into the portmanteau—I took them to the window to examine whether there was any mark on them, because they are dark—there was not light enough at the portmanteau to distinguish whether there were any marks on them.

COURT. Q. What is the size of the room? A. A very small room indeed, just big enough to hold a little bedstead, a table, and two or three chairs—it is a small back attic.

FREDERICK SHAW (*police-sergeant E 8.*) I went to Lord William Russell's house on Friday, the 8th of May, and assisted in searching the pantry that afternoon—on the following day, Saturday, I saw Collier find a gold seal behind the pipe, and a seal-ring bent behind the water-pipe in the scullery—the sink had been taken up in the pantry, and taken away, when I got there—about five o'clock on the Saturday afternoon I searched

the pantry, near the hearth, and found this gold locket close to the joist of the flooring—(*producing it*)—the stone hearth had been taken up—I was sifting the dust, and among it turned over the gold locket.

COURT. Q. Were the joists of the floor taken up as well as the hearth? A. Only the hearth—I found this close to the joists.

Cross-examined by MR. PHILLIPS. Q. Had you ever searched the prisoner's box, or assisted to search it? A. I did on Friday afternoon, the 8th, between five and six o'clock—I assisted inspector Pearse to search it, to see if we could find any thing to lead to a discovery—our search was a minute one—we do not make a careless search when our object is to find any thing suspicious—I paid every attention my duty required me to pay—no one else was in the room, when we searched it on the 8th, but me and Pearse—we took all the things out of the box one by one—we took each article up in our hands, and placed it on the bed—we left nothing behind that we considered suspicious—we took every thing out, and put it on the bed, so as to see the box was empty and contained nothing more—I am sure nobody was in the room with me, except Pearse, at the time we were searching the box—I did not search it again after the 8th, that I am sure of—I never searched or assisted to search it after the prisoner was sent to prison—I never searched it with Collier's assistance, nor in company with Humphries or Cronin—my only companion at my only search was Mr. Pearse—the portmanteau is a good-sized one—it is here—(*produced*)—the initials "F B C" are on it—the prisoner's room is a small one—I was near the window when I examined the portmanteau—the room was perfectly light enough to see any thing.

MR. BODKIN. Q. Do you remember whether any thing was taken to the window in order to examine it by the strong light of the window? A. I do not recollect that there was—the bed was on the right as you went into the room—the portmanteau was in the centre of the room, near the fire-place, when I went up stairs—when I took the things out, they were put on the bed away from the window—I do not recollect that I saw any handkerchiefs among the things that were taken out.

MR. PHILLIPS. Q. You found no breast of a shirt torn, in the search you made? A. I recollect seeing one in the portmanteau—I saw one very similar to this—(*looking at the shirt-front produced*)—I think it is the same—I recollect seeing a front there of this description—I do not know that I saw these two handkerchiefs there—there were a great number of things in the portmanteau—I will not speak positively to the handkerchiefs—this front I recollect seeing on the 8th—Mr. Pearse was with me—I had this front in my hand—I remember there were a good many neck-handkerchiefs in the portmanteau—I do not recollect seeing any of this description.

PAUL CRONIN (*police-constable C 158.*) I went to Lord William Russell's house on Wednesday morning, the 6th of May, about half-past seven o'clock, but I did not go into the house till half-past ten—I was outside the door till then—I remained there every day and night until Saturday—I assisted Mr. Pearse in searching the pantry, and saw him pull down two boards of the skirting, and take out a gold-clasp purse—he found it just on the corner inside the skirting-board—I also saw him draw out a ribbon, and attached to it was a Waterloo medal—he took that from behind the second skirting—I next saw him draw out a 10l. note—I believe Mr. Pearse took possession of all that property—it was on Friday,

the 8th, that Mr. Pearse made this search, and found the property, about eleven o'clock in the day, or about twelve or one, as near as I can recollect—on Tuesday, the 12th, I went there again, in the morning, with Mr. Pearse—I had left the house after Saturday night—I had done nothing in the house from Saturday night till Tuesday morning—on the 12th I went into the scullery, leading from the pantry, and examined the flooring, particularly under a small vault attached to the scullery—I passed my hand along the boards composing the flooring of the scullery, and in doing so my finger struck against what I considered to be a ring—it is a very dark small place attached to the scullery—I drew my hand out in the dark—I had no light—I drew it out with some difficulty, and it appeared to me to be part of a watch-key with the pipe and ring broken off—this is it—(*producing it*)—I went again on the following day, Wednesday—I first searched in the pantry, and afterwards up in a yard—there are two yards, one above the other—it was in the upper yard I searched—I went there with Collier for the purpose of raising some stones which appeared loose—after raising the stones I saw a leaden sink encased with wood—(*produced*)—it came from the pantry—I had seen it in the butler's pantry—it was a fixture there, just over the place where Pearse found the property—I saw the sink taken down, and, I believe, it was placed in the yard afterwards—I looked at the sink round the edges—it appeared to me that the lead had been turned up and put down again—not the whole of it, only a small place in front—I turned up the front with an iron chisel which I had in my hand, looked inside, and saw a watch there—I immediately called Collier, who saw me take the watch out—I kept it and sealed it up almost immediately afterwards—I produced it at Bow-street, and have had it ever since in my custody—it was in the same state as it is now, with the glass out of it.

JAMES ELLIS. I am at present in the service of the Earl of Mansfield. I was for two years and eight months in the service of the late Lord William Russell—I left I believe on the 1st of April this year—the prisoner succeeded me in my situation—I remained two days there to initiate him into his duties—I am perfectly well acquainted with three out of these five rings—they belonged to Lord William Russell, and it is my firm belief that the other two belonged to him—he was always in the habit of wearing those five rings daily—when his lordship retired to bed, they were usually placed on a small dressing-table in the bed-room, which stood between the two further windows—(*looking at the watch*)—I used to wind up Lord Russell's watch for him, on a common average, five days out of the seven—I firmly believe this to be the watch which I was always in the habit of winding up—that I placed at night always in a watch-stand on a little table by the side of his lordship's bed—here is a name inside it, but it appears to me to be the maker's name—I never noticed that his lordship had a watch in which his own name was engraved—this name is engraved on the inside case of the watch—I am perfectly acquainted with this seal, these two watch-keys, and this signet ring—(*looking at them*)—they were all the property of his lordship—this split ring appears to be the same which was always worn to the watch—it is rather broken, but it is a similar ring to what his lordship used—the watch-key also appears to be the same, but a portion of it is gone—his lordship had a chased key of precisely the same pattern—I know that his lordship had a Waterloo medal, but I never examined it, and he had a ribbon attached to it—this Russia leather box was called the cash-box—I know that, and these note cases I can speak positively to—his

lordship had always foreign gold coins in the cash-box, but I never examined them—it was always evident to me they were not English money—I remember to have seen this miniature in Lord Russell's possession—it was always in the small cash-box—I never saw it any where else while I was in the service—this gold pencil-case I know perfectly well by marks which I now see on it—that was his lordship's—he was in the habit of carrying it in his pocket every day—this tooth-pick-case appears to me precisely similar to the one always carried by Lord William Russell—they were generally placed on the small table at night, where the rings were placed—this sugar-sifter I am positive to—it was always used by me when in Lord Russell's service, and this dish-cover is the top of a hash dish always used by me in Lord William's service—this cloak appears to be his lordship's evening cloak—it appears precisely the same as when I left his lordship's service—a card is sown in it—I have seen a locket in his lordship's possession—(*looking at the one found in the pantry*)—it might have resembled this, but I am not quite positive of it—I never by any chance had much cause to examine it, only if his lordship left it in any part of the house, he desired me to fetch it—I am not at all positive to the locket—it was a similar one.

COURT. Q. You say you have seen his lordship with a locket resembling this, but cannot take on yourself to say this is the identical locket? A. No, I cannot.

MR. ADOLPHUS. Q. We understand a rushlight was lighted in his lordship's room every evening? A. Every night when his lordship retired to bed—his lordship was never in the habit of reading in bed at all, to my knowledge—I never observed it—the candle, by which his lordship went to bed, was always put out by me when his lordship retired to bed, and put on the table by the side of the rushlight—I never observed the candle to have been left to burn out in the socket—his lordship was particularly careful on the subject of fire—he has very often cautioned me—I remember his lordship's returning from a short visit to Richmond—I saw the prisoner several times after that, before I left London—probably two or three times—once I recollect very well the prisoner asking me if I had any recollection of his lordship's having a locket—I told him I had—he then said his lordship had lost the locket while out of town at Richmond—I said I wondered how it could be lost, as his lordship always carried it in the note-case—the prisoner also said he could not account for its being lost, unless it had fallen from the pocket of his lordship's clothes while he was brushing them—he said his lordship had written, or was going to write, to Mr. Ellis, the proprietor of the hotel at Richmond, concerning the locket—there are only two days in particular that I recollect having conversation with the prisoner—one day was shortly after the return from Richmond, and the other the Monday before the murder—I rather think this conversation was a day or two after the return from Richmond—when I left Lord Russell's service, I handed over to the prisoner the plate that was in my care—I had a list of it, which I gave to the Commissioners, I believe—(*the plate box was here produced*)—the list is inside this—I examined the contents of the box at the house with my list, before it went to the banking-house—this is my own list—it is the list by which I checked the plate before I delivered it over to the prisoner—I examined the contents of the chest with this list shortly after this event—four table-spoons, four large forks, four dessert-spoons, and two tea-spoons were then missing—the greater portion

of the plate was always kept in my own bed-room at the top of the house, in a drawer belonging to a large dressing-table, standing in the valet's room—they were generally deposited there, but not always—I considered it the safest place for them—the plate in ordinary use was kept in a cupboard in the pantry below—(*several articles of plate were here produced by Mr. Cumming*)—to my firm belief these are the articles that were missing from the house, according to my list—they correspond in quantity and size, and they have the crest of Lord Russell on them—the same as I have always seen.

RICHARD MATTISON HARRISON. I am chief clerk in the banking-house of Hoare and Co., Fleet-street. The Baroness de Clifford keeps an account there—Mr. Wing, the solicitor, draws on her account occasionally—I remember paying a cheque of Mr. Wing's on the 25th of April last—I can tell from an entry which I have, that this 10*l.* note was one of the notes I paid on that occasion—(*this was the note found concealed in the pantry*)—the cheque was for 200*l.* and was drawn by Thomas Wing—here is the cheque—(*producing it*)—it is dated the 25th of April, 1840.

Cross-examined by MR. CLARKSON. Q. Have you the book here in which the original entry is? A. Yes.

COURT. Q. Do you know who you paid it to? A. I cannot say, but this is one of the notes I paid for that cheque.

THOMAS WING. I am solicitor to the Baroness de Clifford—I drew a cheque on her bankers, by virtue of her authority, on the 25th of April this year—I received the amount myself—I do not know whether this is one of the notes I received on that occasion—I received fifteen 10*l.* and ten 5*l.* notes—I kept them till I saw the Baroness on the Monday after, and then gave the notes I received from Mr. Harrison to her ladyship—I gave the self same notes to her ladyship on the Monday morning following the Saturday on which I received them—the deceased's name was Lord William Russell, by courtesy.

LADY CLIFFORD. I am related to the late Lord William Russell—I am the widow of one of his sons—I remember, on the 27th of April, receiving from Mr. Wing some Bank-notes amounting to 200*l.*—among them were some 10*l.* notes—on the 29th of April I gave one of those 10*l.* notes to the late Lord William Russell—it was given for a charitable purpose.

COURT. Q. Was there any thing to be done with it? A. It was to be given to Lady Sarah Bailey—I went abroad on the Friday, the day after.

LADY SARAH BAILEY. I am related by marriage to the late Lord William Russell—he married my sister. I knew him for many years—I reside at Hampton Court Palace—While Lord Russell was residing at Richmond this Spring he came over to see me many times.

Q. Do you remember on any occasion any thing happening about a locket? A. Yes—he left the locket on my table while he went to chapel in the afternoon, and when he returned from chapel I gave him the locket again—he put it into the left-hand pocket of his coat, an upper pocket—when I first saw it it was in a brown and blue letter case which was worked by his daughter.

Q. Had his lordship a great regard for that locket? A. I suppose so, because he wrote for it—I had never seen it before that time—(*looking at the letter case*)—this is the letter case, and to my belief this is the locket

—(*looking at it*)—there is hair in it—I cannot say whose hair it is—it is tied with a piece of blue silk—Lord William Russell wrote to me to inquire about the locket—I think he wrote for it from Camden-hill—I wrote to him in answer to his note—he was at Richmond at the time, but my letter to him was directed to Norfolk-street—I have no particular reason for knowing who was in attendance on him during his stay at Richmond—I did not see his servant when he came over to me at Hampton Court.

COURT. Q. What was the occasion of Lord Russell's taking the locket out? A. He gave me a letter to read from that very case—I cannot remember whether the locket fell out, but when he was gone I found it on my table.

JOHN HARRIS. I am an upholsterer and work for Mr. Hughes. I went to Lord William Russell's house on the afternoon of the 5th of May, to adjust the bell-pull in his lordship's bed-room—I might be there about half-an-hour—I did nothing but adjust the bell-pull—it was a small ivory bell-pull, and the ring cut the rope—I was there about half-an-hour, to make it fast—I left the house then.

HENRY LOVICK. I am a bell-hanger. On Tuesday, the 5th of May, I went to Lord William Russell's house about three o'clock, or between three and four o'clock—I did a little job in the bed room, and I did something also to the door of the room—I was there twice—I left about half-past seven o'clock in the evening the last time.

GEORGE DOUBLEDAY. I was groom to the late Lord William Russell. I did not live in the house—I was in the house on Tuesday, the 5th of May, I cannot recollect at what time—I saw his lordship about eleven o'clock in the forenoon at his house—I was there once afterwards, I suppose a little after six o'clock—I did not go next morning before twenty minutes before nine o'clock—I had been sent for—I continued there during the day till eleven o'clock at night.

MARY HANNELL *re-examined*. When I came down in the morning I found the half glass door on the ground floor bolted and chained—I do not know whether the shutter was put up to it the night before—it was not up in the morning—it was not always put up—the chain goes immediately below the glass part of the window—I do not know whether a person outside could see where that chain was.

SARAH MANSEY *re-examined*. I am not able to state how the glass door was over night—I do not remember any thing about it—the shutter was never up when his lordship was at home.

JURY. Q. Were you in the habit of seeing the poker in the butler's pantry? A. Yes—I never examined it—I do not know whether it was bent or not—I never had any thing to do with it.

WILLIAM WINTER. I was one of the plumbers employed in Lord Russell's house after his decease. I saw a sovereign found under the boards on Wednesday, the 13th—I gave it to one of the policemen.

CHARLES ELLIS. I keep the Castle tavern at Richmond. Lord William Russell came to stop at my house, on the 5th of April last, and remained till the 22nd—he brought a man servant with him—it was the prisoner—there was also a groom—(*looking at the witness Doubleday*)—I would not swear that is the man, but he is very much like him—the prisoner was the only person in personal attendance on Lord Russell—on the 25th, after Lord Russell had left my house, I received this letter from him

on the subject of a locket—in consequence of that letter I made immediate inquiry, and search was made after the article—nothing was heard of it, nor ever has been since—I cannot find the envelope of that letter any where—the seal of it was from the Travellers' Club—I believe the prisoner brushed and cleaned his lordship's clothes while he was there.

CHARLES IGNATIUS CLAPTENBURGHER. I am a watchmaker in Regent-street. Lord William Russell's watch was repaired under my directions—this is his lordship's watch—(*looking at it*)—I know this watch-key, by having taken it off the last time the watch was repaired—it is the watch-key belonging to Lord William Russell's watch—but it was taken off, and put on one which was lent to him while his own was repairing—I sent it back again to him with the watch—it fitted the other watch which I lent him.

CHARLOTTE PEOLAINE. My husband's name is Louis—he is a Frenchman—I am an Englishwoman—we keep the Hotel Dieppe, Leicester-place, Leicester-square—I know the prisoner—I think it is about four years ago that I knew him—he came to a situation, to take a place in the hotel as waiter—I do not recollect whether he told me his name—we used to call him *Jean*—French is generally spoken at our hotel—he staid with us a month or five weeks, it was not long.

Q. Since that time has he continued to be acquainted with you, coming in occasionally? A. I never saw him since till about six weeks ago I think—he then came to our hotel—it was on a Sunday evening—he merely asked me how I was—he staid about two minutes.

Q. How did he introduce himself to you, do you remember? A. He knocked at the room door, I said, "Come in," and he walked in—I did not recognise who he was at the moment—it was some time since I had seen him—he said, "Do not you recollect me?"—I said, "No, I do not"—he said, "I am John, that used to live with you some time, over in the Square"—I recollected him then—he staid a few minutes, and then went away—I believe I asked him if he was in a situation, and he said, "Yes"—I said, "I am very glad of it"—he said, "With a gentleman"—he did not tell me his name—I saw him again, I think it was on the Sunday week afterwards, or the Sunday fortnight—it was on a Sunday evening—he merely came in and asked me how I was—it was in the evening—he had a paper parcel in his hand—he asked me if I would take care of it till the Tuesday following, and he would call for it—I said, certainly I would, and he left it with me, and went away—I put the parcel in a closet, and locked it up—it is a closet I use generally—I had no notion at that time what the parcel contained—it was a sort of round parcel, tied with a string, and sealed.

Q. Did he call for it on the Tuesday following? A. I never saw him since until to-day—I heard once or twice of the murder of Lord William Russell.

Q. Had the parcel been left with you before you heard of the murder, or not? A. Oh yes—I took the parcel out of the closet yesterday morning, for the first time—I was induced to take it out, on account of what my cousin brought up stairs in a French newspaper—he read it to me, and showed it to me—in consequence of that I had some conversation with my cousin, and sent for Mr. Gardie, who lives in King-street—he is a chaser and modeller, I believe—I also sent for Mr. Cumming, an attorney, who is an intimate friend of ours—Mr. Vincent, my husband's partner, was also present—he is the person who gave me the information out of the French paper—the parcel was

opened in the presence of those persons—it had never been opened before, from the moment it came into my possession—(*Mr. Cumming here produced the parcel*)—this is the parcel—this is the brown paper that was over it—the parcel contained spoons and forks, silver I suppose, two pairs of new stockings, and two instruments, which I do not know the name of, a pair of dirty socks, a jacket, and something, I do not know what they call it, I think it is tow, round the plate—it is like ravelled rope, that would have the effect of preventing the plate being felt, or from jingling—it did not make the least noise—Mr. Cumming immediately wrote down on a sheet of paper what there was, fastened it up again, and brought it here, I believe—before he fastened it up, we signed the inventory, to attest what it contained.

Cross-examined by MR. PHILLIPS. Q. About what a clock in the day yesterday was this? A. About four, I think—we have a billiard table in our hotel—it is not much frequented—merely by the gentlemen who board and lodge in the house—there are a few that come—it is not exclusively kept for the guests—any body can go and play that likes—any stranger may come in and play—there are no other games played in the house—not backgammon—it is a peaceful house—the police have not been there at all—no one was ever taken out of it, I think I can swear that—I never heard of it—there was never any gang of suspected persons taken out of our house by the police, nor any person.

Q. What did you mean by saying you think you could swear it? A. Because I am never down in the billiard-room myself, but I never heard any noise—I do not think there is any gambling-house in Leicester-place but ours, and ours is not a gambling house—there are not a great many gambling-houses in Leicester-place that I am aware of—we have lived there two years next September—I never inquired much whether there were gambling-houses there—our house is very much frequented by foreigners—there are generally a good many there—the prisoner went by the name of *Jean* in our service—that was the name I gave him—I do not know whether his name was *Jean*—I called him so for convenience sake—because it would be easy for us all in the house—I never knew him by any other name—we do not take in English papers at our house—I very seldom read them, I have not time—a few English gentlemen occasionally come to our house—we never take in any but French newspapers.

Q. Have you not had for the last five weeks heard continual conversations about this dreadful event, the murder of Lord William Russell? A. No—I am never among the gentlemen down stairs, who have conversations—I have a husband, but he is in France—he has only been gone a fortnight—he is the master of the hotel, that is all—I have not heard my husband speak of the murder, to my knowledge—if he has I have forgotten it, but I do not think he has mentioned the subject to me—I do not walk in the streets on Sundays—I go to church sometimes—I have not observed the placards of the Sunday newspapers—I have never seen posted up in large letters, “The Murder of Lord William Russell,” nor heard the confessions of the prisoner cried about the street—I think I heard of the murder the day after it was committed—I was certainly very much shocked—I do not know that I said any thing to my husband about it—it might have been named, I cannot recollect whether we did or did not speak of it—I have not time to think of these sort of things—I am always occupied—my husband and I very seldom dine together—we breakfast together sometimes—I do not know whether it was my occupations that prevented

my mentioning it to my husband—I do not recollect whether I said any thing about it to my husband—I did not say any thing about it to his partner to my knowledge—I did not speak of it to any body, being generally occupied—Mr. Vincent is always occupied down stairs, and sometimes I do not see them the whole of the day, from morning to evening—I sleep with my husband, but sometimes I have gone to bed a long time before him—that was not the case during the whole three weeks he was in town—I cannot say whether I was frequently awake when he came to bed—I cannot say whether I was too much occupied to hold any conversation with my husband during the three weeks—that is a question I cannot answer.

MR. ADOLPHUS. *Q.* You have been asked about the reputation of your house, is there any pretence on earth, to your knowledge, for calling it a gaming house? *A.* No—the police have never to my knowledge broken in and taken any one out—it has never happened while we have lived there.

Q. Respecting your conversation with your husband, do you, like other women, converse with your husband on things that pass, and think no more of it after it is over? *A.* Yes.

Q. Whether you heard of the murder of Lord William Russell or not, could you have any idea that *Jean* was the same person as Francois Benjamin Courvoisier who was accused of the murder? *A.* No—parcels are sometimes left in our care, at the counter down stairs—I put the parcel in question in my closet, and locked it up—I never moved it out—it was put at the bottom—the closet is in the first floor—the billiard-room has no connexion or communication with that—the billiard-room is on the parlour floor—whoever comes to play at billiards have no business up stairs—there is no backgammon table in our house.

COURT. *Q.* You have said you heard of this affair the day after it happened? *A.* I believe so.

Q. Can you tell how long before that it was that the parcel was left with you? *A.* I think it might have been a week or a fortnight—I cannot positively say—I do not recollect what part of the week I first heard of it.

LOUIS GARDIE. I am a modeller and chaser, and live in King-street, Soho. I am an acquaintance of Mr. Peolaine, who keeps the Hotel Dieppe—I was at that hotel when a parcel was brought in by a man—it was on a Sunday—I was only a visitor there, and of course did not pay much attention—I happened to be there by chance—I saw it was a little parcel, and was covered with brown paper—I did not know the person before who brought it—I cannot positively say the prisoner is the man, because I never knew the man, and he was there so short a time, of course I could not say exactly—I got a glimpse of him, and that is all—I paid so little attention I do not know what really passed—I know the parcel was left, and the door shut, and the gentleman gone—it was left in Madame Peolaine's charge—I was at the hotel yesterday—Mr. Vincent, the partner of the house, came and fetched me, with regard to some news he had got from a journal or newspaper—I went to the hotel—he said something to me, and we went directly to the City to Mr. Cumming, who went back with us to the hotel—when we got back the parcel was produced—I cannot say whether it was the parcel I had seen before or not, I paid so little attention to it—Mr. Vincent, Madame Peolaine, me, and Mr. Cum-

ming were present when the parcel was produced—Mr. Cumming cut the string, and opened it—it contained some silver articles, a jacket, and other things—a list of the contents was made out in my presence.

COURT. Q. You were present when the parcel was delivered to Mrs. Peolaine, on a Sunday; have you any thing in your mind to tell you what time it was? A. I cannot say exactly—I know it was Sunday—to the best of my recollection, I think it was about five or six weeks from this time—I heard of the murder of Lord William Russell—it was about that time, I think, a little before, I think.

RICHARD CUMMING. I am a solicitor, and carry on business at No. 17, Old Jewry. I saw Mr. Gardie and Mr. Vincent at my office yesterday—I accompanied them to Mr. Peolaine's—he is not a client of mine—I am acquainted with him—a brown paper parcel was produced to me by Mrs. Peolaine—it was tied up with string, and the string sealed—my advice was asked on the subject of opening it—I opened it myself, and made this list of the articles that were in it—I then did it up again—before doing so, I noticed a crest on the forks and spoons—after doing it up, I proceeded to a bookseller's shop, in order that I might see by the Peerage-book the crest of the Bedford family, and having satisfied myself that a goat, which was on the spoons, was the crest of that family, I immediately proceeded from Ridgeway's, the bookseller's shop, to Marlborough-street, for the purpose of seeking the advice of a Magistrate, and to be relieved from the possession of the parcel—I saw an officer, who introduced me to the clerk of the Magistrate, and I made a communication to him—in consequence of a communication from him, I immediately came here in a cab—I arrived here about six o'clock—I sent in a communication by note to the solicitor for the Prosecution, and was directed to come in—I then made a communication to Mr. Wing and Mr. Hobler—the paper which I brought in some time ago, contained a portion of what the brown paper parcel contained, but I had given up the brown paper, and some other articles, having first put my initials on them, by the direction of Mr. Hobler, to an officer—the spoons, and forks, and plate, which I have brought in, were in that parcel—here are my initials on the cover of the parcel—there has been an address on the cover, which is nearly erased—besides the spoons and forks, there is a gold ear-apparatus, and a leather box—this is the list which I made out, and which I had signed by Vincent Gardie and Mrs. Peolaine—*(reads)*—“four silver table-spoons, four silver dessert-spoons, two silver tea-spoons, four silver forks, one leather box, containing two instruments for the ear; two pairs of white stockings, (no mark on them) one pair of white socks, with ‘C 4’ on each; one flannel jacket, another check jacket, (which I have called an undress jacket;) and a small quantity of tow or yarn.”

Cross-examined by MR. PHILLIPS. Q. It was about six o'clock you came here yesterday evening? A. About six o'clock—I came into Court, and proceeded to the seat of the solicitors—I saw you here—I do not know Mr. Flower—I knew you were one of the counsel for Courvoisier.

WILLIAM FREDERICK MOLTINO. I am a printseller, and live in Pall Mall—it is my custom to fix upon parcels I send out a ticket of the address of my shop—this is one of my tickets upon this brown paper—Lord William Russell was a customer of mine—on the 27th of April I sent a parcel to his house for him—it was a print framed, called the Vision of Ezekiel—it was inclosed in brown paper—to the best of my belief, the

parcel I sent upon that occasion had a ticket on it like this, but I cannot say that I remember distinctly the act of putting the paper on—this label is similar to ours—it has on it “From J. A. Moltino, printseller, 20, Pall Mall”—it is not exactly a printed label—we have a brass plate cut out, and we rub the ink over it—this appears to have been done so.

Cross-examined by MR. PHILLIPS. Q. Be good enough to look at this letter—here is one letter I see remaining, do you see the letter M.? A. I see some marks, but I cannot see what it is—it looks something like an M—I had been in the habit of sending his lordship engravings occasionally—he had his house hung with prints—I have not sent him many during the last three or four years—I have several, perhaps half a dozen, but they were not all framed—I think the only print we ever framed, was the Vision of Ezekiel.

Q. Did you send the others with brown paper, or at all events, with the ticket with your name? A. Yes, I think so—we generally use brown paper—I cannot tell how long before the Vision of Ezekiel was sent we had sent an engraving to Lord Russell—it was some time.

MR. BODKIN. Q. Do you remember how you used to direct a parcel of that sort? A. In directing a parcel of that sort, I should write, “The Right Honourable Lord William Russell”—I have not a distinct recollection of the act of doing that with the Vision of Ezekiel—that print was about four times the size of that book—(*one on the table*)—it could not have been inclosed in this sheet alone—I sometimes pack articles in brown paper, which has been used on other occasions.

JOSEPH VINCENT. I know Mrs. Peolaine—I read something in a French newspaper yesterday, in consequence of which I went and spoke to Mrs. Peolaine—I signed this paper—(*looking at the list.*)

HENRY CARR. I am an acquaintance of the prisoner’s—I was a fellow-servant of his in the family of Mr. Fector—I think I have seen him wear a jacket similar to this, (*looking at the one in the parcel.*) in the service of Mr. Fector, but I cannot be positive—I called on the prisoner on Tuesday, the 5th of May—I left the house about a quarter or twenty minutes before six o’clock—he went out with me—I parted with him at the corner of Park-street, a very short distance from the house—I saw nothing more of him that night—I did not return to the house that night.

LETTICE BANKS. I do not know the prisoner—I saw him once—I have washed some shirts, stockings, aprons, and pocket-handkerchiefs for him—these dirty stockings have the prisoner’s mark on them, but I do not know that I ever washed them—they are marked in the heel—stockings are sometimes marked there, but I never saw any of his marked in the heel—his were marked at the top—I have had both socks and stockings of his—some were marked C. B.—I do not recollect them all—I do not know whether any were marked C only.

THOMAS DAVIS. I am in the employ of Mr. Webster, an aurist. These instruments were made by Mr. Webster—such instruments were supplied by him to Lord William Russell in June, 1836—I have the book here.

JAMES ELLIS *re-examined.* These are similar instruments to what I have seen in Lord William’s possession—I think I had seen them about three weeks previous to my leaving—he never wore them.

SARAH MANSER *re-examined.* Q. Did you see these, or some

like them? *A.* Yes, about a week or a fortnight before the event took place.

MR. BODKIN. Q. Where was the plate kept in the house of Lord Russell just before the period of this transaction? *A.* The prisoner kept it in his bed-room—I have seen a jacket in the house—I cannot say whether this is it or not—it was one of this appearance—I have seen it down in the prisoner's pantry—I do not know whether it belongs to him.

(*Adjourned.*)

SATURDAY, June 20th.

The Queen against François Benjamin Courvoisier (continued.)

CHARLES AUGUSTUS RIVERS. I am a sculptor. I made this model—I measured the height of the different walls of the building—this model correctly represents the part of the premises it is intended for—the back wall next the stable is sixteen feet three inches high—this is part of the stabling—that wall continues the whole length about that height—the wall on this side is eight feet seven inches and a half—the height of this tiled building is ten feet four inches, I mean this back wall—the height to this piece of weather-board is six feet ten inches—there is nothing on the other side except a kind of bottle-rack, which is represented by this black drawing—the lower part of this bottle-rack seemed sound, but the part towards the roof seemed in a very rotten state—I could not form a judgment whether it would bear the weight of a man—this place represents the pavement of Sir Howard Elphinstone's yard—the height from the pavement to the wall of the bath-house is fourteen feet.

SARAH MANSEY re-examined. Q. Did the prisoner remain in the house in Norfolk-street, from the time the murder was discovered till he was taken away in custody to prison? *A.* Yes.

JOHN TEDMAN re-examined. I did not examine the bottle-rack carefully—Beresford was sent to do it.

(*MR. PHILLIPS addressed the Jury on behalf of the Prisoner.*)

(Peter Cherry, proprietor of the British Hotel, Jermyn-street; James Noble, head waiter at the above hotel; Henry Petto and Jane Susan Petto, in the service of Lady Julia Lockwood; and Lady Julia Lockwood, of No. 100, Park-street, in whose service the prisoner had been nine months; deposed to his good character for kindheartedness, humanity, and inoffensiveness of disposition.)

GUILTY—DEATH. Aged 23.

NEW COURT.—Thursday, June 18th, 1840.

Before Mr. Common Sergeant.

1630. *MARTHA ELIZABETH MENZIES* was indicted for uttering a forged bill of exchange for 22*l.* 7*s.* 9*d.*, on the 4th of May, with intent to defraud Edmund Ives; and on the 27th of January, a forged bill for 28*l.* 17*s.*, with intent to defraud Thomas Goode, well knowing them to have been forged; also for stealing, on the 30th of October, 1 bed, value 3*l.*; 1 bolster, value 10*s.*; and 2 pillows, value 8*s.*, the goods of George Wilson; to all which she pleaded

GUILTY. Aged 54.—Transported for Fourteen Years.

1631. GEORGE ABEL was indicted for stealing, on the 29th of May, 1 pewter pot, value 1s. 6d., the goods of George Griffiths; to which he pleaded

GUILTY. Aged 25.—Confined Three Months.

1632. FREDERICK RICHARDS was indicted for stealing, on the 20th of May, 78 yards of calico, value 1l. 19s., the goods of Joseph Jackson; to which he pleaded

GUILTY.* Aged .—Confined Six Months.

1633. JOSEPH STOCKHAUSEN was indicted for feloniously uttering 2 forged warrants for payment of 5l., with intent to defraud Thomas Penny; to both of which he pleaded

GUILTY. Aged 23.—Transported for Seven Years.

Before Mr. Justice Littledale.

1634. GEORGE MOSS was indicted for breaking and entering the dwelling house of Cornelius James Donovan, at St. Matthew, Bethnal Green, on the 31st of May, and stealing 1 bottle of ginger-beer, value 3d., and 6 halfpence, his property.

CORNELIUS JAMES DONOVAN. I live at Cambridge Heath, Bethnal Green—I have the house to myself, and am a green-grocer—I went out with my wife and some friends on Sunday the 31st of May, about three o'clock in the day—I fastened the door, locked it, and put the key in my pocket—there are two doors to the back, and they were both fastened—I do not know that any windows were open—there is only the shop and parlour down stairs, and the windows in them were fastened—I had some bottles of ginger-beer in the house when I went out—I returned home about half-past eight o'clock, and saw several persons about the front of the house—I broke the door open—I did not wait to see if I could open it with the key—I went up stairs to the back bed-room door—I tried it with the key, but I could not get the key in the lock, in consequence of something being in the centre of it—my brother-in-law was with me, and he broke that door in with his foot—I did not perceive that any thing had been disturbed in the house—the top part of the back parlour window was down, which I suppose was up when I went out, but I cannot say—I did not miss any ginger-beer—it would have been impossible to miss one or two bottles—next day I missed three-pennyworth of halfpence from under a tea-caddy on the shelf in the parlour adjoining the shop—the shop and parlour are all one room, only there is a partition across.

EDWARD RAYNER. I live in Suffolk-place, opposite the prosecutor's—I am a retired builder. On Sunday afternoon, the 31st of May, I looked out of my window, about five o'clock in the afternoon, and saw the prisoner trying to get in at the prosecutor's door—he seemed as if he was unlocking it—the door opened and he went in—(I knew that the prosecutor and his wife were out)—I came out and told Mr. Welsh to look for a policeman—the prisoner shut the door after him when he went in—he came out in about a quarter of an hour—he had a bottle of ginger-beer in his hand—he went through Cambridge Heath Gate, towards the bridge.

GEORGE WELSH. I live in Suffolk-place, nearly opposite the prosecutor's. On Sunday afternoon, the 31st of May, Mr. Rayner spoke to me, and in consequence of what he told me, I went to look for a policeman—I could not find one for a good bit—I at last found one—I waited

at the turnpike before the policeman came up, and the prisoner came out of the prosecutor's house with a bottle of ginger-beer in his hand—I pointed him out to the policeman, who followed and brought him back.

FRANCIS HARRIGAN (*police-constable N 57.*) I was on duty in Hackney-road on the 31st of May—Mr. Welsh pointed out the prisoner to me—I stopped him, and told him I wanted him—he began to feel in his pocket, and I thought he had got something there which he wanted to throw into the canal, which was close by—I asked what he had got in his pocket—he said a bottle of ginger-beer—I asked where he got it—he told me he had bought it over the bridge—I then searched him, and took from him a bottle of ginger-beer, which I now produce, two double pick-lock keys, two single ones, and a screw-driver—I took him to the station-house and searched him again, and found on him six halfpence wrapped up in a piece of brown paper—they were given up to him by order of the Inspector.

GUILTY. Aged 45.—Confined Eighteen Months.

1635. LOUISA BATEMAN was indicted for feloniously breaking and entering the dwelling-house of Jacob Cohen, on the 2nd of June, at Christ Church, and stealing 1 shirt, value 2s.; 1 hat, value 2s. 6d.; 4 pillows, value 9s.; 1 blanket, value 5s.; 1 coat, value 3s.; and 1 pair of trowsers, value 4s., his property.

JACOB COHEN. I live in King's Head-court, Sandys-row, Spitalfields. I go about with a clothes bag—Mr. Lemon is the landlord of the house, but does not live in it—I have one room, in which I sleep and carry on my business—my son lives in that room with me—he is going on for twenty years old—he goes as a porter to carry things—he is not in partnership with me—he sleeps with me—I pay the rent of the room—it is up one pair of stairs—the prisoner occupies a room on the same landing—I do not know who she pays her rent to—there is no one lives above me—there is one person lives below—I think the prisoner had lived there three or four weeks—on Tuesday, the 2nd of June, I went out at nine o'clock in the morning, I fastened my door with my key—my son had gone out at eight o'clock in the morning—I came home about four o'clock—my door was locked—I unlocked it, and went in—I missed four pillows, which I had left on the bed—my hat, which had hung on a nail in the wall, and my coat, and trowsers, and shirt from the cupboard—I went to the station-house, and gave information—the policeman came with me, and took the prisoner.

WILLIAM JOHN LONGMAN. I am shopman to a pawnbroker, in Brown's-lane, Spitalfields. The prisoner came to our shop on the 2nd of June, about eleven o'clock, and pawned a pair of trowsers for 2s.—she came again, about half-past two or three, and pawned a coat for 2s.—she gave the name of "Ann Deacon" for the trowsers, she gave the address, "No. 2, Wheeler-street," and for the coat, "No. 2, Well-street"—I have seen her several times before—these are the coat and trowsers, which I now produce.

RICHARD FARR (*police-constable H 23.*) On the 2nd of June I went to Sandy's-row—I saw the prisoner and a great number of persons standing about—I took her up King's-head-court, to the prosecutor's house—I told the prisoner that Mr. Cohen had accused her of robbing him—she said she knew nothing at all about it—I searched her in the prosecutor's room, and found on her a duplicate of a pair of trowsers—she said they were

trowsers that her brother had given her to pawn—I found two door keys in her pocket—I told her she had better tell all she knew, but she said she knew nothing about the things being stolen—I tried one of the keys found on her to the prosecutor's door, and it opened it—this is the duplicate.

WILLIAM JOHN LONGMAN *re-examined*. This is the duplicate I gave the prisoner when she brought the trowsers.

(*Property produced and sworn to.*)

Prisoner's Defence. The prosecutor has sworn false—I lived five weeks in the next room to him—I could not pay my rent any longer, and the landlord took the key away on the Saturday, and told me to get another room—the prosecutor was always in the habit of coming in and out of my place, and taking very indecent liberties with me—he brought in the coat and trowsers, and gave them to me to pledge, about half-past nine or ten o'clock—he told me he had pledged them before for 5s.—I pawned them at two different times, at the pawnbroker's, for 2s. each—he had one ticket of me—I went and took a room at the time, and had the key when I was taken—as I was going up stairs again, I picked up the key that the policeman has got, and it fitted the prosecutor's door—the prosecutor told me to keep the other ticket, and I told the policeman so when he took me.

RICHARD FARR *re-examined*. Q. Did the prisoner tell you that the prosecutor had given her that property? A. She told the Magistrate so on the day she was remanded—she did not tell me so—she told me the next morning she had picked up the key.

NOT GUILTY.

1636. JAMES PALMER was indicted that he, on the 4th of June, at St. John's, Hackney, in and upon John Stapler did make an assault, and stab, and cut, and wound him in and upon the left side of the face, and left eye-lid, with intent to maim, disfigure, and disable him.—2nd Count, with intent to do him some grievous bodily harm.

JOHN STAPLER. I live in Retreat-place, Water-lane, Hackney—I am a cow-keeper. The prisoner is a sweep—on the 4th of June, between ten and eleven o'clock, I was at the Peacock public-house, at Homerton—the prisoner was there—the persons there were playing at skittles—there was a quarrel between the prisoner and a young man of the name of Henry Potter—they fought—they had five or six rounds—some one on the ground said Palmer had drawn his knife, and I said they should not fight any more—I merely said so in the ground—Palmer was within hearing of it—I said if they liked to fight they might, but I would not have any foul play—I said I would bet Potter to fight him for 5*l.*, if they liked to fight fair—the fight was then over, and Potter sat down on the bench—I was standing by the side of the ground, and in the course of three or four minutes I received a blow from the prisoner in the left eye—he had some knife or other sharp instrument in his hand, but I cannot say what, as I did not see it—I did not hear him say any thing—I did not think I was going to receive the blow, it came so unawares to me—the blood came from the wound—I put my hand to my eye, went into the wash-house, and washed it—Potter came into the wash-house, and asked me what was the matter—I held up my head, he saw my eye, and ran out into the ground to see whether the prisoner was there—some one had taken the prisoner out of the ground—when he struck me he came in front of me—they got some warm water to bathe my eye, and some one

fetched a surgeon—I went home with the surgeon—he dressed my eye—when I received the blow I felt something strike against the cheek bone, but it was so severe it almost stunned me at the time—I have lost the sight of my eye—I had taken a little drink, but not to say that I was any way the worse for liquor—the prisoner had been drinking a little, but he was not to say tipsy.

Cross-examined by MR. PRENDERGAST. Q. How long had you been there? A. I went in at eight o'clock—I had a pint of half-and-half, and a pipe, soon after I went in—I might have drank once or twice with those that were at play—there was a candle in the ground—I was not aware at the time that I had been stabbed—I felt something strike me very hard—I did not see any knife at all with the prisoner—when this first happened—I should say there were not more than six or seven persons on the ground, more came in afterwards—the people did not take contrary sides—the fight was over when they came in, but there was a scuffling going on with three or four persons—I did not hear the prisoner say any thing about any knife, nor threaten to do any thing—I heard a person in the ground say the prisoner had drawn his knife—that was some time before I was struck—I had not struck the prisoner—I had no quarrel with him—I never had half-a-dozen angry words with him in my life—he might have been struck several times when there was a fight—another young man, named Potter, came into the ground after that, and he got struck—he was, I believe, the only man who received any blow, except the man the prisoner was fighting with—Potter was struck by somebody else—I did not see it—they do not give me the least hope of recovering my sight, but the inflammation is going off.

GEORGE BANHAM. I was in the skittle-ground on the 4th of June—I saw the prisoner when he was fighting with Potter—I saw a knife in the prisoner's hand which he took out of his pocket, but I did not see him take it out—I called out, "No foul play"—Mr. Stapler was second to Potter, and picked him up—after I had called out, Potter went and sat down for a few minutes—in a short time, there was another disturbance with four of them again—I then took the prisoner by the arm and ran him out of the house—I led him out of the yard—as I was putting him out, I saw a knife in his hand—I asked whether he meant me any harm, and he said "No," but he made use of a bad expression, and said he would rip up his guts—he did not say who—he did not mention any name—I led him home—he lives in Plough-lane—he shut the knife up, and put it into his pocket—I returned to the skittle-ground in about ten minutes, and saw the prosecutor bathing his eye in the wash-house—I did not see the wound given—I went for the surgeon.

Cross-examined. Q. You said there was then a scuffle took place between four of them? A. Yes, that was after the first fight—they were all in a heap—there might be five engaged in that scuffle—I did not see the prisoner strike the prosecutor—I was in the yard, but I was not close to him—I ran and took the prisoner away to make peace—I was not aware that the prosecutor was stabbed—I cannot say whether any other man had a knife or not—after the first fight, Edward Potter and a man named Hocket came into the ground—there might be ten persons in all—there was one candle on the ground, just by the side of the ground near the place of the skittles—I did not hear the prosecutor say any thing about being stabbed or hurt—it was star-light.

EDWARD POTTER. On the 4th of June, I was going past the Peacock public-house, from half-past ten o'clock to eleven—I heard a noise in the skittle-ground, and went in—the prisoner was fighting with my brother, Henry Potter—Hocket struck me on my left eye, because I was parting my brother from the prisoner—I went into the tap-room, and heard Stapler call out—I came into the passage, and saw the prisoner being brought out pinioned by the arms by Banham—I perceived something extended from the bottom part of the prisoner's right hand—he was taken out into the street—I then saw Stapler come into the passage with his hand up to his left eye, which was bleeding profusely.

Cross-examined. Q. What did you go in the tap-room for? A. That I would not have any words with any of the party—my coat was out in the ground—I did not go into the room to pull my coat off—I went out into the yard again to strike the person who had struck me—two or three blows passed between us—I had been in a bit of a scuffle—I put my coat in the tap room, and then I came into the passage to go into the yard again—I did not go along the passage, there was not room—I was going to see how they got on, and as I waited in the passage I saw the prisoner, and immediately after that I saw Mr. Stapler going towards the front door out of the house—I was not quite sober—I knew what I was about—I had been to the Three Cranes public-house at Hackney—I was not accused of breaking a glass that evening—there was one broken by a man named Holland, who was in my company—the publican did not order us all out—we quitted the house in a few minutes—I then went to the Black Boy public-house in Well-street to have a bottle of ginger-beer—I then went to the Peacock public-house—I did not drink there—I am grave-digger of the parish—I struck the prisoner's father once.

BETHUNE HORSBURG. I live at Homerton. I am a member of the College of Surgeons at Edinburgh, and Apothecaries' Hall. On the 4th of June I was called to the Peacock public-house about eleven o'clock at night—Mr. Stapler was bathing his left-eye—I found the lower eye-lid was cut, and the integuments and the upper part of the eye very much swollen—the pupil was very much dilated, and quite insensible to light—it appeared to have bled a great deal—I directed him to come to my surgery, and there I dressed his eye—he has been under my care ever since—I have no doubt but that he has lost the sight of his eye for life—I attribute that more to the blow than to the cut—I saw a slight scar above the brow of the same eye—the wound on the lower eye-lid was in my judgment occasioned by a knife or some sharp instrument—I have seen the same sort of cuts occasioned by falling against some sharp instrument or against the edge of a chair—I do not think such a cut would be occasioned by a fist or by the feet.

Cross-examined. Q. What was the depth of it? A. It might be about a quarter of an inch or deeper at the upper part—I have seen clean cuts made with the fist on the cheek, but not on the eye, because the parts about the eye are more protected—I thought at one time that the eye-ball had been penetrated by the knife, but I find it had not—the eye exhibited marks of having received a blow from some such thing as a fist, and a very heavy blow it must have been—it is barely possible that this cut might have been inflicted by the nail of the man's thumb.

JOHN MATE (*police-sergeant N 28.*) On the 5th of June, about nine o'clock in the morning, I went to the prisoner's house in Plough-lane—I

found him lying on some straw covered with soot-sacks—I took him into custody—I did not tell him it would be better for him if he confessed, or worse if he did not—I told him he must go with me, and he began to cry—I told him it was a bad job, and his reply was, “I should not have done it, if I had not been half *lushy*,” meaning drunk—I took him to the station-house, and I asked him where the knife was—he said he did not know—I asked him where he got it, and he said he did not know—I asked where he put it after he had done the act—he said he did not know—he denied any knowledge of the act.

MR. PRENDERGAST *called*

WILLIAM HOCKET. I am a shoemaker. I was at the skittle-ground, at the Peacock public-house—I saw the fight between the prisoner and Henry Potter—after that was over there was a scuffle among several persons, about four were engaged in it—I did not see the prisoner, during that time, strike or touch Mr. Stapler—I was standing with my back towards them—I saw him after he was taken by Banham—I did not see any knife in his hand—I was about three yards from him when he was taken out of the ground—I followed him home—I had got his smock-frock, which I picked up in the ground, and I followed with it—the yard was dark, and it was not easy to see what took place when the scuffle took place—there are gas-lights in the passage—if the prisoner had had a knife in his hand, then I must have seen it, he had no knife that I could see—I had some scuffling with Edward Potter—from what I saw of the scuffle it was not like a regular fight—they were all together in a heap—I followed the prisoner and Banham up to the prisoner’s house—when the prisoner got home I did not see any knife with him then—I did not hear any conversation with the prisoner and Banham about his having any knife—the prisoner was considerably intoxicated—if Banham and he had had any conversation in the passage I must have heard it, and I did not hear it—I did not hear any one in the passage say he had got a knife in his hand.

MARY PALMER. I am the prisoner’s mother. On the evening in question I stood at my own door—I heard a noise—I went to the Peacock public-house, and there I saw them all—it was about ten minutes before eleven o’clock when I went there—I saw my son in the ground—there was a regular fight with three or four of them, and Stapler was in the act of fighting—I put my hand up, and said, “Pray do not fight, you are big enough to eat him”—I did not see my son with any knife—I never saw him with any knife—I did not see him removed from the ground—they came and told me he was gone—I came out, and left Stapler and all of them fighting—I afterwards saw my son brought home by Banham—he had no knife, I am sure—I got home before he did, and I was in the kitchen—no one said any thing about my son having stabbed any body—he was never in the habit of carrying a knife—he went to bed, and there he lay till the policeman came the next morning—after he had been in bed about three-quarters of an hour, there was a mob in the lane—I threw up the sash, and there was something said about stabbing—I thought the policeman was coming for him then.

GUILTY of an Assault.—Confined Eighteen Months.

1637. WILLIAM HARRIS was indicted for stealing, on the 1st of June, 1 purse, value 1s.; 2 sovereigns, 3 half-sovereigns, and 1 half-crown; the property of Leonard Fosbrook, from his person.

LEONARD FOSBROOK, Esq. I a barrister, and live in King's Bench-walk, Temple. On the 1st of June I was in Old Bond-street, about six o'clock in the afternoon, with Mr. Storey—I felt something touch me behind my legs—I turned, and saw the prisoner close behind me, and my purse on the ground, the prisoner was in the act of picking it up, and was walking away with it—I put my hand on his shoulder, and charged him with having got my purse—he put up his hands in a supplicating posture, and said, "O Lord, Sir, it was not me"—I am not certain whether I took the purse from his hand, or whether he dropped it, but I took it and have it—(*producing a purse*) and it contained the money stated—I had put it into my hind coat-pocket an hour before.

Cross-examined by MR. PRENDERGAST. Q. Had you not something else in that pocket? A. Yes, a pocket-book, and a parcel of tooth-brushes—they were taken also, and are quite lost—I saw another boy close to the prisoner—I did not see the prisoner speak to him—I did not see any man going away—I left the prisoner in charge of Mr. Storey, while I ran and took the other boy—nothing was found on him—the prisoner did not run—he walked about three steps.

NATHANIEL STOREY. I live in Jermyn-street. I was with Mr. Fosbrook, walking arm in arm—he suddenly disengaged from me, and collared the prisoner, and at that moment I saw a purse drop from the prisoner when he put up his arm—Mr. Fosbrook picked it up, and the prisoner exclaimed, "Lord, Sir, it was not me I assure you," or words to that effect.

NOT GUILTY.

1638. GEORGE BOTT was indicted for feloniously assaulting Charlotte Bott, on the 25th of May, at St. George's, and cutting and wounding her on the left temple, and left side of her head, with intent to maim and disable her.—2nd COUNT, to do her some grievous bodily harm.

CHARLOTTE BOTT. I am the prisoner's wife. We live in Chapman-street, St. George's. On Monday afternoon, the 25th of May, I went to meet my husband in Bishopsgate-street—I went home with him—it was then about five o'clock—I then went out and staid till eleven o'clock at night—I then came home and went up-stairs—the door was fastened, and I broke it open—my husband was in bed—he got up when I broke the door open—there was no light in the room—my husband was in liquor—he came and *banged* the door against me very heavily, and I think he cut my head a little—he did not hit me more than once—I afterwards fell down-stairs, which made it much worse—I had some blows on my arm with falling down-stairs—when he cut my head, I just put my hand to it, and then I flew at him to hit him—I ran away and fell down-stairs—I bled a little from the cut, but not so much as from the fall—it was nothing hardly before—I do not know what he hit me with—it was quite dark—I really think it was with the door—it could not have been with the poker—the poker was bent twelve months ago.

Prisoner. You said you would have your revenge on me that night—the lucifer-box was on the table, and I asked you where you got that cut in your head. *Witness.* I do not recollect saying, I would have my revenge—he said something about my cut—I do not think he knew who did it.

WILLIAM COOK. I am a shoemaker, and live in Upper Chapman-street, St. George's, in the lower part of the house, and the prisoner and his wife live in the first-floor—on the night of the 25th of May, the prisoner's wife came home about eleven o'clock—I came out of my room and she retreated, and went

out of the street-door again—she then came in again and went up-stairs, knocked at the door and made a noise—she forced open the door—I heard what seemed to me to be words of anger between them, but I do not know what they were—I heard blows struck more than once—I do not know who struck, nor what the blows were given with—I heard his wife scream violently, and halloo “Murder” several times—she then fell down in the up-stairs passage, as it appeared by the sound—after that there was a bustling noise in the passage, and then she fell down-stairs head foremost—she moaned at the time she fell—my wife went and endeavoured to help her up-stairs, but was not able—the street-door was open and a number of persons were standing there—I went and asked the neighbours to come in and help me to get her up—we brought her into my back-room—the doctor came while she was in the passage.

WILLIAM COOK, Jun. I am the witness's son. I went to bed before eleven o'clock—I afterwards heard a noise over-head, at the back-room door, as if some one was kicking against the door, and forcing it—I heard screams and the cries of “Murder” several times, which, according to the sound, came from the prisoner's wife, who was up stairs on the landing—I heard a fall from the top to the bottom of the stairs—I dressed myself and went to the door—I saw the prisoner's wife with her head towards the kitchen door, and her heels on the second stair from the bottom—the policeman came soon after—I did not see the prisoner before his wife fell down.

HENRY GOULD (*police-constable K 79.*) On the 25th of May I went to No. 29, Upper Chapman-street—there were a great many people round the door—I went into the house—I found the prisoner's wife on the floor, with her face toward the ground, and bleeding profusely from her head—I went up, and found the prisoner undressed in the bed-room—I asked what he had struck his wife with—he said he had not struck her at all; that she had come up stairs drunk, and fell down the staircase—I saw blood on the floor of the landing at the top of the stairs, and on the breast and on the wristband of the prisoner's shirt, which shirt I have now here—the blood appeared to be fresh—I took him to the station-house, and, in consequence of something his wife told me, I went back and got this poker—(*producing it.*)

ROBERT HORWOOD ALLEN. I am a police inspector. The prisoner was brought to the station-house—I told him to be cautious what he told me, as I should have to state it in evidence before the Magistrate—he said his wife came home drunk about eleven o'clock; that she kicked several times against the door, and burst it open, and in so doing she fell down stairs; that he never struck her in his life, nor raised his hand against her—I found some blood on his right hand, and on his shirt also—it seemed fresh—I went to the prisoner's house, and found a quantity of blood at the foot of the stairs, a large quantity of blood on the top of the stairs, and on three or four stairs from the top, and some blood on the last stair—I went into the prisoner's room, and saw his wife—her head had been dressed—I saw some blood about that—she was sober—it is impossible that a person standing by the prisoner's door, and falling, could have cut their head by the fall, for it is three feet from the stairs to the prisoner's door, and the passage is two feet and a half wide—the clotted blood was within two feet of the door, so that it appeared to me that was just where his wife had been standing—if she had fallen from the door, about her middle would have come against the edge of the stairs,

and the blood would have been on the centre of the stairs, or at the bottom—I measured the pool of blood on the landing, it was about twelve inches each way, and that at the bottom was about the same size.

MARK BROWN GARRETT. I am a surgeon. I was called in—I found the prisoner's wife at the bottom of the stairs, with her head towards the back-door, and her legs bent towards her head—many parts of her person were covered with blood, more especially her head and face—she appeared insensible—I had her removed into the adjoining room, and found on the left side of her head, a wound from an inch and a half to two inches long, and about half an inch deep, taking a perpendicular direction—I dressed the wound, and had her removed up stairs to bed—there was a bruise on her left arm—the wound on her head had been occasioned, certainly, by some instrument, and my impression is that it had been received on the landing before she fell down stairs—I do not see that the struggle in falling down stairs would increase the quantity of blood—it might probably increase rather than decrease it.

(The prisoner, in a long address, stated, that the prosecutrix was constantly in the habit of abusing and irritating him; that she came home drunk with her head cut on the night in question, and pulled him out of bed, saying she would be revenged on him, and then fell down stairs.)

NOT GUILTY.

Fifth Jury, before Mr. Sergeant Arabin.

1639. JOHN FOXCROFT and DAVID JORDAN were indicted for stealing, on the 25th of May, 1 handkerchief, value 2d., the goods of William Ireland, from his person.

WILLIAM CLAY (*police-constable K 278.*) On the 25th of May, about ten o'clock at night, I was on duty in St. James's-street, in plain clothes—I saw the two prisoners and another person with them—they tried several gentlemen's pockets—I then saw Foxcroft put his right hand into Mr. Ireland's pocket, and take this handkerchief out—(*producing it*)—I seized him, touched the prosecutor on the shoulder, and asked if he had lost any thing—Jordan was close by Foxcroft, and covering him.

Cross-examined by MR. PRENDERGAST. Q. Was Jordan walking with him in company? A. Yes—Kemp took Jordan—I found two handkerchiefs on Foxcroft—one was a white one that he could not give an account of, also the duplicate of two other handkerchiefs pawned on the same day.

Cross-examined by MR. PAYNE. Q. How long is it since you took a gentleman for stealing his own property, and was fined 10s.? A. I stopped a gentleman in the street with a paper parcel, and asked what he had got—I went with him to his own door—I did not take him to the station-house—I was fined 2l.—they said I exceeded my duty—I took a gentleman on suspicion of picking pockets, at Covent-garden theatre—the case was heard, and they said it was doubtful, but in consequence of his father's respectability they gave him the benefit of it—these prisoners were taken on the night of the illumination—there were a great many persons there.

JOHN KEMP (*police-constable N 82.*) I was there in plain clothes—I saw two prisoners in company with another—I saw Foxcroft trying pockets—I distinctly saw his hand in one man's pocket—I saw him take the handkerchief from the prosecutor's pocket—Clay took him, and took the handkerchief from him—Jordan was alongside of him, and was trying several pockets.

Cross-examined by MR. PRENDERGAST. Q. Do you swear that you saw Jordan try any pockets? A. Yes, he lifted them, and felt them—I suffered this to go on for about a hundred yards—I had not seen either of the prisoners before.

Cross-examined by MR. PAYNE. Q. Why did you not take them away when they were trying pockets? A. I wanted to see them go on and do something—the Magistrates like to have the case clear—I have had persons committed for lifting up the tail of a coat—I do not know that I have taken up wrong persons, who have been discharged after I have sworn to them.

WILLIAM IRELAND. I was passing through St. James's-street on this night—I was asked by the policeman if this was my handkerchief—I said I thought it was—I cannot swear to this—I had one like it in my pocket, and I lost it out of my pocket—the prisoners were near me at the time the officer spoke to me—I think this is my handkerchief.

Cross-examined by MR. PRENDERGAST. Q. Do you think that it may not be another handkerchief, and not yours? A. I had one very much like it—I cannot tell whether it had all these holes in it—there might have been—I cannot say that this is worth picking up.

(The prisoners received a good character.)

FOXCROFT—GUILTY. Aged 17.—*Recommended to mercy by the Jury.*
—Confined Three Months.

JORDAN—NOT GUILTY.

1640. JOHN BARTHOLOMEW was indicted for embezzlement.

JOHN JONES. I am a woollen-draper. The prisoner was my clerk, he took care of the petty cash and the little money matters in the course of the week, and had little bills to settle—he always brought me a little balance sheet on Saturday night with an account of the money he paid and received, and paid the balance over to me.

JOHN GOODFELLOW. I am clerk to Mr. Gabriel, of Regent-street. On the 25th of April, I paid the prisoner 1*l.* 2*s.* on account of my master—he could not give me change, and let it stand over till next settlement—the debt was 1*l.* 1*s.* 10*d.*—on the 2nd of May I paid him 7*s.* 8*d.*, deducting the 2*d.*, which he owed me on the preceding week—I paid him the further sum of 4*l.* 16*s.* 6*d.* on the 9th of May, on account of his master.

Cross-examined by MR. PRENDERGAST. Q. Where did you pay it him? A. In the counting-house—we are woollen-drapers—there are weekly cross accounts between us—these were payments for goods we had of them—I think they had bought nothing of us at this time.

THOMAS JONES *re-examined.* The prisoner never accounted to me for 1*l.* 2*s.* on the 25th of April, nor for 7*s.* 8*d.*, nor for 4*l.* 16*s.* 6*d.*

Cross-examined. Q. Let me see the balance-sheet? A. Here it is, and the cash-book, which is for money paid on account—these sums are not in the cash-book—I have not received a penny of these, neither has my partner—he is not here—the prisoner might have paid me money at other times besides Saturday—I am certain he has not paid this money—I always enter the money he pays me—he might have paid me money at the time he received it, but there is an entry made of it—this charge was made about the 27th of May—I was out of town at that time—if he had paid my partner it would have been entered.

JOHN GRAY (*police-sergeant C 14.*) I took the prisoner about eleven o'clock in the morning of the 25th of May—I found a purse on him, con-

taining three sovereigns and five bills—I found a new ink-stand, a new dressing-case, and a writing-desk at his lodgings—I came to him at the station-house, and said, “Where did you buy these things?”—he said, “Last Saturday, in the Quadrant, and gave 7s. 6d. for the ink-stand.”

Cross-examined. Q. You took possession of them? A. Yes—I did not take his clothes—I took them at first, by desire of the landlord, and then gave the landlord the key—Mr. Bidgood, the other partner, gave charge of the prisoner.

(The prisoner received a good character.)

GUILTY. Aged 20.—*Recommended to mercy by the Jury.*

Confined Three Months.

1641. ANN KENT and MARY FRANCIS were indicted for stealing, on the 29th of May, 1 pair of gloves, value 2s., the goods of Henry Wingrove and another; and that Kent had been before convicted of felony.

CHARLES MANSELL. I serve in the shop of Henry Wingrove, and another, linen-draper, at Hammersmith. On the 29th of May, the prisoners came in company for some calico—the foreman served them—I was present, and watched them—they bought the calico—I saw Kent take the gloves off the counter—Francis stood close by the side of her—Kent put the gloves into her bosom, and then they both walked away—I had been serving Francis with some hooks and eyes—they were followed and taken—these are the gloves—(looking at them)—I saw Kent showing Francis the gloves outside the door, and she wrapped them up in her own parcel, and gave them to Francis.

THOMAS BUCK (*police-constable T 32.*) I took the prisoners, and found the gloves in Francis’s bosom.

Kent’s Defence. I had left a parcel on the counter; I was going back, and gave my parcel to Francis to hold, and then they took me.

JOHN JONES (*police-constable F 31.*) I produce a certificate of Kent’s former conviction, which I got from the clerk of the Peace Office for Westminster—I was in the Court—the prisoner is the person—(read)—she has been three times convicted before, and three times since—she was only out of prison six days before she did this.

KENT—GUILTY. Aged 16.—Transported for Fourteen Years.

FRANCIS—NOT GUILTY.

1642. ALFRED WOODHAM was indicted for stealing, on the 4th of June, 1 necklace, value 10s.; the goods of William Cox, from the person of Nancy Cox.

WILLIAM THOROGOOD. I am a carman. On the 4th of June I was in Carlile-street, Soho, just before dinner—I saw Mrs. Cox walking, with a child in her arms—the prisoner had got his hand on the child’s right shoulder—I saw him bring the beads away in his right hand—I hallooed to the woman, “That man has got your child’s beads”—he ran off—I got down to the house just as the policeman took him—I am sure he is the same person.

ELIZABETH REEVES. I live in Meard’s-court. I went out to empty some water, and saw the beads in our area.

CAROLINE COX. I am the wife of William Cox. I was carrying my daughter Nancy—a necklace was taken from her neck, in Carlile-street—I saw the prisoner run off—the necklace was found in the evening by Reeves—this is it—(looking at it.)

WILLIAM ROGERS (*police-constable E 64.*) This necklace was brought to the station by Reeves, on the evening of the 4th of June.

Prisoner's Defence. I was walking down Wardour-street, and heard the cry of "Stop thief"—I turned, and saw this carman running, and a man running before me—he ran round Meard's-court—I ran to try if I could see him, and he got over a wall.

GUILTY. Aged 24.—Confined Three Months.

1643. JAMES WILLIAMS and OWEN DALEY were indicted for stealing, on the 1st of June, 2 handkerchiefs, value 11s., the goods of Henry Verey; to which

WILLIAMS pleaded GUILTY. Aged 19.—Transported for Seven Years.

JOSEPH JAMES HEATH. I am a house decorator, and live at Bayswater. On the 1st of June, between seven and eight o'clock, I saw the prisoners in Oxford-street, with two others—I knew, and watched them—I saw them go to Mr. Robertson's shop, and pass it—they went on, and then the prisoners went to the prosecutor's shop—I saw Williams take something from the door, and put it inside his coat—he walked round to Oxford-market, followed by Daley—Williams got into the market, and began dancing—Daley said, "They are after you"—I let them go on to the corner of Market-street, and there I saw a policeman—I said to him, "I want these four for a robbery"—I took Williams, and said, "What have you got there?"—he said, "Nothing"—I took these handkerchiefs from him—the officer took Daley—the other got away.

THOMAS WALLIS. I am a policeman. Heath called me—I saw him take these handkerchiefs from Williams.

FREDERICK STAMMERS. I am in the employ of Henry Verey, a haberdasher, in Oxford-street. These two handkerchiefs are his, and were taken from the window near the door.

Daley's Defence. I met Williams and two others—I asked them to direct me to Crawford-street—they said they were going—I went with them, and then they went round to Oxford-market—we came to the corner of the street—they said they were not going any farther, and they were directing me, when the officer and Heath took us—I had nothing to do with the robbery.

DALEY*—GUILTY. Aged 19.—Transported for Seven Years.

1644. ABRAHAM BARRETT was indicted for stealing, on the 15th of June, 1 reticule, value 2s. 6d.; 1 handkerchief, value 1s. 6d.; 1 pair of scissors, value 1s.; and 1 pair of gloves, value 6d.; the goods of John Jarvis, from the person of Susannah Jarvis.

SUSANNAH JARVIS. I am the wife of John Jarvis, a fur-cutter. On the 15th of June I was in St. Paul's Churchyard—I had a reticule containing the articles stated—I felt a tug at my arm, and found my reticule was cut off—I saw the prisoner going across with it in his hand—I cried out, "Thief"—a waterman ran after him, and the policeman stopped him—this is my reticule, and its contents—(*looking at it.*)

THOMAS WEST. I am a waterman at the stand on the north side of St. Paul's Church-yard. The prisoner dropped this bag on my shoes—the prosecutrix screamed out—I pursued with the bag on my hand—the prisoner ran and was caught by a policeman.

EDWARD WICKENDEN. I picked up these scissors—I saw the prisoner drop them—he tried to throw them down an area.

JAMES WILLIAM NEWMAN (*City police-constable, No. 217.*) I ran and caught the prisoner at the bottom of Addle-hill.

GUILTY. Aged 16 Years.—Transported for Ten Years—Ship.
(There was another indictment against the prisoner.)

1645. EDWARD WHITE was indicted for stealing, on the 25th of May, $1\frac{1}{2}$ lb. of bacon, value 1s., the goods of Whittaker Nutter.

JAMES REYNOLDS. I am shopman to Mr. Whittaker Nutter, a cheese-monger in Whitechapel. On the 25th of May I saw the prisoner and another lad come to the window and take this bacon—the prisoner ran away—he fell down and dropped it—it was my master's.

Prisoner. I did not take it—it was another boy.

GUILTY. Aged 13.—Whipped, and discharged.

1646. JOHN HINGE was indicted for stealing, on the 25th of May, 2 handkerchiefs, value 3s., the goods of William Charlton, from his person.

WILLIAM CHARLTON. On the 25th of May, I was in St. James's-park—there was a great crowd there—I had two handkerchiefs in my pocket—I felt a pull, turned, and saw my handkerchief in the prisoner's possession—the policeman had hold of him and pulled it out—these are the two handkerchiefs—I am not sure that they were both in one pocket—I lost them both.

GEORGE KEMP. I am a police-constable. I was in the Park in plain clothes—I saw the prisoner take one handkerchief from the prosecutor's pocket—a gentleman took it out of his hand and gave it me—I saw him take this other handkerchief from his breast—he was going to chuck it away—I took it from him.

GUILTY. Aged 17.—Confined Three Months.

1647. SARAH YOUNG was indicted for stealing, on the 28th of May, 13 napkins, value 4s. 6d., and 1 towel, value 6d., the goods of Thomas Elton.

MARY ANN ELTON. I live in Oxford-street—my husband's name is Thomas, he keeps a beer-shop—these things were wet in a tub in the front area on the 28th of May—I missed them a little after nine o'clock in the morning—these are them—(*looking at them.*)

MARTHA LEGGATT. I buy and sell wearing apparel. The prisoner came to my house that morning about ten o'clock, and offered me these for sale—I gave her sixpence for them—as soon as she passed my door I thought it was not right, when I came to look at them—I had her brought back and gave her in charge.

Prisoner's Defence. I saw them lying and picked them up.

GUILTY** Aged 64.—Confined Twelve Months.

OLD COURT.—*Friday, June 18th.*

Fourth Jury, before Mr. Common Segeant.

1648. THOMAS LOVETT and GEORGE WILSON were indicted for stealing, on the 1st of June, 4 weights, value 4s., the goods of Abraham Banks.

ABRAHAM BANKS. I am a surgeon, and live in New Church-street,

Portman-market—I missed four brass weights, but not before they were found, which was on the 1st of June—these are mine—(*looking at them.*)

ANDREW WYNESS (*police-constable T 43.*) I was on duty in Portland-place, about half-past nine o'clock, on the 1st of June—I observed the two prisoners loitering about—I followed them down Devonshire-street, along several streets—they went into several shops in Church-street, and near Mr. Banks's, I missed Wilson, and saw the other standing outside a shop—in two or three minutes Wilson came out of the shop, and both ran away—I saw something in Wilson's hand two or three different times—I went up to him and found these weights on him.

LOVETT* GUILTY. Aged 15. }
WILSON* GUILTY. Aged 14. } Transported for Seven Years—Ship.

1649. ANN WALSH was indicted for stealing, on the 29th of May, 1 spoon, value 2s. 6d., the goods of Everard William Bouverie, Esq.

JOHN DOLPHIN BONIFACE. I am footman to Colonel Everard William Bouverie, of Grafton-street. I know the prisoner—on the 29th of May, she came with a person to take away the hog-wash—in consequence of information I missed a spoon—this is it—(*looking at it*)—it is Colonel Bouverie's—it was left in the scullery, in a milk-bason.

Prisoner. Q. Did you see me in the house the day you lost the spoon? A. I did not.

HARRIET TOLLIST. I live in Colonel Bouverie's house. On the 28th of May, I saw the prisoner there—the spoon was missed next morning—she came into the scullery.

Prisoner. Q. Did you not accompany me from the door to the scullery, and stand by while I was taking the wash? A. No—I gave you 1s. the same morning, and shut the door after you.

THOMAS BORDERS. I am a pawnbroker, at Westminster. The prisoner offered this spoon to pledge on the 28th—I gave it to the policeman.

Prisoner. Q. Did you not say before the Magistrate that it was a woman who was with me? A. No—I swear it was you.

JOHN FREDERICK BOHN. I am a policeman. I received the spoon from Borders.

(*The prisoner put in a written defence, stating that she had found the spoon in the street.*)

(The prisoner received a good character.)

GUILTY. Aged 67.—Confined Six Months.

1650. ANN BRYANT was indicted for stealing, on the 8th of May, 1 gown, value 2s.; 1 pair of stays, value 3s.; 2 shawls, value 2s.; 1 bed-gown, value 1s.; 1 towel, value 1s.; and 8 aprons, value 1s.; the goods of Elizabeth Stockley.

ELIZABETH STOCKLEY. About three weeks ago I lodged with the prisoner in Bedfordbury—on the night of the 8th of May she did not return home, I examined my boxes, and missed the articles stated in the indictment—some of them are here—(*looking at them*)—here are four aprons of mine.

Prisoner. Q. Did you miss the things while I was there? A. No, the next day.

ROBERT WHINTON. I am a pawnbroker, and live in Prince's-street. These four aprons were pawned by the prisoner on the 12th of May.

Prisoner's Defence. I am not guilty of it—she is a very low character.
GUILTY. Aged 31.—Confined Six Months.

1651. PATRICK RYAN was indicted for stealing, on the 5th of June, 3 hats, value 2s., the goods of Robert Ashton, in a certain vessel, in a certain port of entry and discharge.

ROBERT ASHTON. I am a sail-maker, on board a vessel, lying at St. Katharine's Dock. I missed three hats, which I saw safe the morning before, the 5th of June, on deck—I do not know the prisoner—these are my hats—I know them by this mark on them.

Cross-examined by MR. PAYNE. Q. When did you say you saw them safe in your ship? A. On the afternoon of the 4th, about six o'clock, they were made fast to my trunk with a small rope—I missed five, these are three of them.

BENJAMIN FAIRFAX. I am a watchman of St. Katharine's Dock. About nine o'clock, on the morning of the 6th of June, I was at the wood yard, and met the prisoner—he appeared to have something concealed under his coat—I unbuttoned his coat, and found these three hats secured under it—he said a sailor gave them to him—I went with him round the wood yard—he could not find the sailor.

JURY. Q. Was the prisoner acquainted with the regulations of the dock? A. I never saw him in the dock before—I think he might not know the rule whether he could bring them out openly—he had no business in the dock at all.

NOT GUILTY.

NEW COURT.—*Friday, June 19th, 1840.*

Fifth Jury, before Mr. Sergeant Arabin.

1652. JAMES FINCH was indicted for burglariously breaking and entering the dwelling-house of James Coombs, about the hour of three in the night of the 11th of June, at St. John the Evangelist, Westminster, with intent the goods, &c., therein being, feloniously and burglariously to steal.

JAMES COOMBS. I live at Regent-place, Horseferry-road, in the parish of St. John the Evangelist; I am a housekeeper. On the 11th of June, about three o'clock in the night, my back parlour window was broken, and the sash thrown up—any person could have entered there—I had fastened that window at eleven o'clock, the night before—there was nothing removed in my house.

JAMES WALKER. I am a lamp-lighter. On the morning in question I was getting over the wall, and saw the prisoner in the prosecutor's garden—it was about twenty minutes to four o'clock—there were two others with him—they all ran away then, but the prisoner was taken afterwards—I am sure he is the boy.

Prisoner. I can be on my oath I have not been in Regent-street these four weeks. *Witness.* I am sure he is the boy.

THOMAS DILLON (*police-constable B 82.*) I saw the prisoner and another walking in Regent-street, about twenty minutes before four o'clock that morning—I knew them, and they ran away.

JAMES SKELTON (*police-constable B 94.*) I took the prisoner into cus-

today—he denied all knowledge of it, and said he was in bed all night, but after that he contradicted it.

Prisoner's Defence. I sweep the crossing at the Parliament House, and some gentlemen here know me, and give me pence—I was at the crossing that night, and the house did not break up till three o'clock.

GUILTY.** Aged 16.—Transported for Ten Years.—Convict Ship.

Before Mr. Justice Littledale.

1653. JOHN BOLT was indicted for breaking and entering the dwelling-house of Philip Samuel Everett, on the 23rd of May, at St. Matthew, Bethnal-green, and stealing therein 6 shillings, 1 sixpence, and 1 groat, his monies.

SARAH HANNAH EVERETT. I am the wife of Philip Samuel Everett—we live in Elizabeth-street, Hackney-road, in the parish of St. Matthew, Bethnal-green—we keep a chandler's shop, and rent the house—the shop communicates with the rest of the house, without going into the open air. On Saturday, the 23rd of May, about half-past one o'clock, I left my shop, latched the door, and went into the kitchen for a minute or two—I looked towards the doors when I had been in the kitchen two or three minutes, and saw that the shop door was open—I went into the shop immediately—I am sure I had latched the door—I saw the prisoner at the end of the shop, coming from behind the counter—he was not in the shop when I went into the kitchen—I had left no one in the shop—I asked him what business he had behind my counter—he said a little boy threw his cap into the shop, and he went round to pick it up—I took hold of him—I called my son-in-law, who was just outside the door—he searched him, and found 6s., and one sixpence, and a fourpenny piece on him—he did not say any thing at that time, but a few minutes after, when the policeman came, he said he had picked it up on the floor—I dare say we said to him it would be better to confess what he had done, but I was too much flurried at the time to know—we all wished him to tell the truth, but I made him no promises or threats—we keep the money which we take in a wooden bowl in the till—about one o'clock, there was about 6s. 10d. in silver in the bowl—after the prisoner had been searched, I looked in the bowl and found it empty—there was no mark on the money—there was a sixpence, and a 4d. piece in it, and 6s.

THOMAS CHARLES EVERETT. I am the prosecutor's son. I do not assist in the shop—on the 23rd of May, about half-past one o'clock, I was called into the shop by my mother-in-law—she had hold of the prisoner, who was at the end of the counter—she desired me to search him, because he had been robbing the shop—I put my hand into his left hand trousers pocket, and found 6s., one sixpence, and one fourpenny piece—I made him no promise or threat—I asked him how he came by that money in his pocket—he said, another boy threw his cap behind the counter, and he picked the money off the floor, behind the counter—I immediately put the money on the counter and went after a policeman—I left the prisoner in charge with my mother till the policeman came, and he was given in custody—the policeman took the money off the counter—there is no mark on it, but it is the same amount as I took from the prisoner.

JAMES LEADER (*police-constable*, N 284.) On the 23rd of May, I was called to the prosecutor's shop, about two o'clock the prisoner was given into my custody by Everett for robbing the till—he heard that

reason given—I made him no promise or threat—I asked how he came to do it—he said a boy threw his cap into the shop, that he went after it, and he picked up the money on the floor—I took him to the station-house—I saw the money in a bowl on the counter—I took possession of it—this is it—there are 6s., one sixpence, and one fourpenny piece.

GUILTY.† Aged 12.—*Recommended to mercy by the Prosecutor.*

Transported for Seven Years—Convict Ship.

1654. **RICHARD EVERDEN** was indicted that he, on the 4th of June, at St. Paul, Shadwell, in and upon Matilda Everden, unlawfully, maliciously, and feloniously did make an assault, and unlawfully, &c., did cut and wound her in and upon the right eye-brow, with intent to maim and disable her. 2nd COUNT,—stating his intent to be to do her some grievous bodily harm.

MATILDA EVERDEN. I am the prisoner's wife—I have been married five years—we live in Elbow-lane, Shadwell—he is a shoemaker—last Saturday evening, after the house was shut up, I had a quarrel with him about a young woman at Bow—I had a child in my arms—he hit me with his fist in my left eye—it was not swollen or black—I began to cry—he thought I was going to return it, and he took this knife (*looking at it*) off the table, and struck me in the right eye-brow with it directly, with the blade of it—he had not the knife in his hand many minutes—he had not got it in his hand when we began to quarrel—he took the child out of my arms—I called out “Murder” when I was struck, and a young woman named Mary came into the room—I went out of the house and called for a policeman.

Prisoner. Before I was going to bed, you gave me a ring to put in the drawer, with a blue stone in it. *Witness.* No, I had them all in my hand—I gave him a silver ring—he said he wanted it for himself—I took it off my finger.

Prisoner. Q. Did you not pull me off the bed? *A.* No—it was not alongside the bed—I did not tear your trowsers—when the policeman came in, he said, “What is the matter?”—you said, “I have struck my wife”—the policeman said, “Will you give him in charge?”—I said, “Yes, because he has struck me in the eye with his fist”—I said, “You vagabond, have you not got a girl at Bow?” and you said, “By my — it is false”—you asked me who told me, and I said, “A young man”—you said, “What is the young man's name?”—I said I could not tell you, because I did not know him—I did not say, “Now I will have it out of you”—I did not strike you, nor raise my hand to strike you, no further than putting my hand to my eye.

MARY ANN THOMPSON. I lodge in the house—the prisoner is the landlord—last Saturday evening I had just got into my bed, and heard Mrs. Everden scream out—I went down into the room where they were—Mrs. Everden was bleeding very much from the eye-brow—I saw her eye-brow was cut.

WILLIAM LEA (*police-constable K 268.*) Last Sunday morning, between two and three o'clock, I heard some one call “Murder” and “Police” at the prisoner's house—I went and saw Mrs. Everden outside the door, bleeding very much from a wound over her eye—the prisoner was standing at the door—I asked Mrs. Everden what was the matter—she said, “I have been having some words with my husband, he has struck me

several times with his fist, and then he took something off the table, and struck me over the eye—he has ill-used me so many times I can't look over it any more, I will give him in charge"—the prisoner said, "I will see him b—— first," and went to slam the door in my face, but I prevented him from closing it by putting my knee against it—I then went into the house and told him [he must go to the station-house with me, he refused—I was obliged to take him out by violence—he said he did not do it with a knife, he did it with his fist—I asked the prosecutrix in the prisoner's presence if he had done it with a knife, she said "No" at that time—she gave me a knife afterwards—I examined it—I saw no mark whatever on it.

Prisoner. I said, "It is nothing to do with you, it is between man and wife—she struck me, and I struck her again." *Witness.* You said it was between man and wife, and that you had struck her, but not that she struck you—you said, "Let her take a warrant out against me"—you asked her to forgive you—she said she would not.

THOMAS DOWDEN ROWE. I am assistant to Mr. Croucher, a chemist, in High-street, Shadwell. I saw Mrs. Everden last Sunday morning—I saw a wound over her right eye—in my judgment it had been occasioned by a sharp instrument or some hard substance—the eye appeared to have received a blow—it was closed—it did not appear to me that the wound had been made by the hand—it was about three-quarters of an inch long—it was a slight wound—I have not dressed it since that time—it was not necessary.

Prisoner's Defence. I did not strike her with a knife, but with my fist; this ring was on my finger when I struck her; I did not have a knife; we had some beef-steaks for supper; I cooked them, and happened to put too much pepper; she said it burnt her tongue, and would not have any; I said I would not; and she began to call me bad names, and said I had a girl at Bow; I said, "I have not;" I was going to bed, and she pulled me off the bed, said she would have her revenge, and threw the child on the bed; I struck her, then she went out and the policeman came in; she said I had struck her with my fist; she said nothing about a knife; and she said so at the station-house; she was given to bad company; she was out all Saturday night till after 12 o'clock; she was very much intoxicated, and would not come to bed.

(The prisoner received a good character.)

GUILTY of an Assault only. Aged 23.—Confined Twelve Months.

1655. JOHN WILLIAM GERMAIN was indicted for stealing, on the 23rd of July, 1838, one Bank-note for the payment and of the value of 50*l.*, the property of Charles Parr Montague, in his dwelling-house.

MR. ROBERTS conducted the Prosecution.

CHARLES PARR MONTAGUE. I am a barrister. In July, 1838, I occupied chambers in Parliament-street, in the parish of St. James, Westminster—I had lived there three or four months—the prisoner was employed to take care of the various chambers—I paid him 5*s.* a week—in the course of that month I gave a cheque for 170*l.* to Mr. Saffrey to go and get change for me—in the course of the day I received the change from Mr. Saffrey—there were two 50*l.* notes—I cannot remember the rest—I do not remember the number of either of them—I paid a bill of exchange with one of them—the other note I deposited in my iron

chest which I had in my chambers—I locked it, and put the key in a secretary—the prisoner was in the room at the time—I do not know whether he saw me put the note into the iron safe—I do not know whether I took the key of the secretary out after I had locked it—I went to the Opera, and returned about eleven o'clock—I went to the secretary, but the key was not there, I could not find it any where and have not found it since—two or three days after I caused the secretary to be broken open—I found the key of the iron chest there—I went to the chest immediately, and missed the 50*l.* note—I then told the prisoner I had missed a note—I did not accuse him of taking it, because I did not think myself justified in doing so—he said he was very sorry that it had occurred, and was very much astonished and hurt about it—I did not hear any thing more about it till a month or six weeks ago, when the note was shown to me by inspector Busain, and he also brought a small key with him—the moment I saw it I said it was my key, but I cannot swear to it,—it is not a common [sort of key—I have not the same secretary now—I disposed of it six months ago.

Cross-examined by MR. BALLANTINE. Q. From the recollection you have of the key you lost two years ago, can you say that this is the same sized key? A. Yes—I cannot say positively—it is not like the common keys—the common keys have three wards—there is an outer door to the street, and an outer door to my chambers—the prisoner had one key to go in, and he remained a fortnight or three weeks after this.

MR. ROBERTS. Q. What floor were your chambers on? A. At the top of the house—there is a door to the staircase in the street, and I had a double door up above, but I was not in the habit of locking the inner door—the outer door is a very strong thick door—no other persons besides the prisoner had access to my chambers, to my knowledge—I kept one key, and he kept the other.

COURT. Q. Had each of you a key both to the outer-door of the chambers and to the street? A. I had a key to the street-door—I do not know whether he had a key to the outer door—he lived in the house—I had not given the key of the outside door to any other person but him that day—I locked my chambers previously to my going out, unless the porter happened to be in the room, and then I gave him directions to do so—the landlord is named Brown—I do not know his Christian name—I slept at my chambers—I do not know whether Brown occupies chambers in the house—I do not think he sleeps in the house himself—I do not know.

MR. BALLANTINE. Q. Were either of the notes in such a condition as this is now? A. No, they were perfectly new.

JOHN BUSAIN (*police-inspector V division.*) On the 18th of May, about one o'clock in the morning, I apprehended the prisoner at a public-house, and found on his person a 50*l.* Bank of England note, (*producing it,*) it is No. 73764, dated 9th January, 1838—I found divers other articles, four duplicates, and some keys on him—I showed the keys to Mr. Montague—I gave the whole bunch to him—I found some letters and other things on the prisoner, and when he was in custody at the station-house he asked me to let him have pen, ink, and paper—that was about a quarter past two o'clock the same morning—I gave them to him, and told him what he might depend on it would not go out of my hand, till I had read what he wrote—I did not ask him to write any thing, it was entirely voluntary on his part—I told him he was not obliged to write or say any thing, because it

might come against him at a future day—he wrote this note, addressed to C. P. Montague, Esq.—I was sitting at the same table, and saw him write it—(*read.*)—"To C. P. Montague, Esq., May, 1840.—Sir, No doubt you will feel surprised, after the lapse of time, to find your note is forthcoming, and I assure you that it came from the Hyde Park-fair occasion; although you did not think that the party concerned. I hope you will act leniently.—I am, &c. JOHN WILLIAM GERMAIN."

Cross-examined. Q. Was the prisoner drunk or sober? A. He had been drinking—he was drunk when I saw him first, but not so much as he pretended to be—there was a great deal of cunning in him—when he was undressing to go to bed, he took particular care that I should not see him take off his trowsers, and he took especial care to put his shirt down into his drawers in such a way as should prevent any thing in his drawers from being seen, and there I found some tablecloths.

JOHN SAFFREY. In July, 1838, I was clerk at the Bankruptcy Court. I remember, in the course of the month, Mr. Montague giving me a cheque to be cashed—I took it to the London Joint Stock Bank, in Princes-street—I do not recollect, at this time, what I received, but I believe they were chiefly large notes—I do not remember the description of any notes that I had—I handed them to Mr. Montague the same day—I am quite sure that I gave him the notes—I have no recollection of whom I received them.

AUGUSTUS JACKSON WHITE. I am cashier at the London Joint Stock Bank, in Princes-street—I was so in July 1838—I find, by my cash-book, that I cashed a cheque for 170*l.*, on the 19th of July, 1838.

Cross-examined. Q. Have you the slightest recollection of the numbers of the notes but from this book? A. No, it would be impossible—I have no other recollection of that transaction, without this book, but by looking at it—I am sure I paid away certain notes—I feel confident the books are correct.

COURT. Q. Does seeing that entry bring to your mind any recollection of the circumstance? A. It does not—I am sure the entry is perfectly correct.

MR. ROBERTS. Q. Is this book kept in the common course of your business? A. Yes, and the numbers of the notes is put down immediately they are paid away, before they are handed over to the parties—referring to the 19th of July I see the entry, a cheque of 170*l.* of Charles Parr Montague was presented in the usual way to me, and I paid the following two 50*l.* notes, Nos. 73764, and 72951—we do not take the dates of the notes—this note (*looking at it*) is No. 73764, for 50*l.* dated 9th of July, 1838.

Cross-examined. Q. Can you tell to whom you paid these notes? A. I have no recollection.

JURY. Q. Are the letters at the corner of the note entered in the book? A. No; that is never taken.

GUILTY of Larceny only. Aged 28.—*Recommended to mercy by the Prosecutor.*

1656. JOHN WILLIAM GERMAIN was again indicted for stealing, on the 17th of May, 4 tablecloths, value 1*l.* 2*s.*, the goods of Jesse Clarkson.

JESSE CLARKSON. I am a hairdresser, living at Wandsworth, in Surrey. The prisoner took a lodging at my house for two nights on the 16th of May, but he slept there but one night—he and I went out after

dinner on the Sunday, and returned in the evening—he did not sleep there that night—on the Monday morning, between five and six o'clock, the policeman called on me, I went with him to the station-house, and saw the prisoner there, and these four tablecloths—the inspector had possession of them—they are mine, and had been kept in a drawer in the front-room on the first floor, where the prisoner slept on the Saturday night—I saw the inspector unlock that drawer with a key from the bunch which he had—the tablecloths are worth 22s.—I know them by the marks on them—(*examining them.*)

JOHN BUSAIN. I am a police-inspector. About one o'clock on Monday morning, the 18th of May, I was going my round, and was called by Stephen Keen, the landlord of the Prince's Head public-house, Battersea—I found the prisoner there—he was not sober—he was partly undressed—he had his coat off—I was called in in consequence of his refusing to go to bed—he said he would neither leave the house nor go to bed—he had taken a lodging there—the landlord was afraid to go to bed, and to leave him rambling about the house—after I got him up stairs, circumstances arose which excited my suspicion, and I searched him—I found on him this purse with four duplicates and the 50l. note, and three other purses; one was empty, one with eleven duplicates in it, one with a seven-shilling piece and half-a-crown in it, and 6s. in silver loose in his pocket, and 1s. 6d. in copper in the same pocket—I found two pencil-cases, a penknife, a pair of tweezers, a split ring on which was appended a small gold seal with a cornelian stone and two metal keys—I also found a bunch of keys, a common metal seal, two old foreign coins, a woman's pocket, and, in his hat, a new stock of figured silk, a pair of slippers, a pair of gloves, two odd stockings, and a neck-handkerchief with two stiffeners in it—in lifting his coat off the ground I found this tablecloth (*producing it*) folded along underneath between the coat and the floor—I asked whose cloth it was—he said it was his wife's—I asked what mark was on it—he said he did not know, he thought it was the mark of some of his wife's friends, and he had brought it away from home unknown to her—I sent him to the station-house—at the station-house I searched him further—I found, concealed between his drawers and his skin, inside the right thigh, two tablecloths, and one in the inner part of his left thigh—I told him I should detain him on my own responsibility till I made inquiries—he then asked for pen, ink, and paper—I cautioned him that he must be very careful, he was not compelled to write any thing, nor to say any thing; if he chose to make a voluntary statement I should assuredly make use of it—I said I had no doubt, without assistance from him, I could find out who these things belonged to—he then, in my presence, wrote this letter, addressed to Mr. Clarkson, Wandsworth—I called on Mr. Clarkson about half-past five o'clock—he came with me to the station-house, and identified these tablecloths, and recognised the prisoner as having slept there on the Saturday night—the prisoner was present when he did that, and shook hands with Mr. Clarkson—I afterwards took the bunch of keys I found, and among the rest I found one which locked and unlocked the drawer in which Mr. Clarkson stated these tablecloths had been put, in his bed-room—Mr. Clarkson was by when I tried it, I showed the note to Mr. Clarkson.

(*Letter read*)—"To Mr. Clarkson, Wandsworth. My dear Sir, You will, no doubt, feel shocked to find I have been your enemy instead of your friend, when you see this letter, and will be surprised to think that I

am at this present time under the protection of the police at Wandsworth. Sir, forgive your deceitful friend. You little thought that when we were together this day that I had your property concealed about me; but never mind, I will return it to you two-fold when I go abroad. My respects to the cook. Farewell."

MR. CLARKSON *re-examined*. These are my tablecloths—I know them by certain marks—they were in the drawer of the room where the prisoner slept.

GUILTY. Aged 28.—*Recommended to mercy by the Prosecutor.*—
Transported for Seven Years.

Sixth Jury, before Mr. Sergeant Arabin.

1657. JOHN DOUDGE was indicted for stealing, on the 29th of May, 1 portfolio, value 5s., and 32 prints, value 4l. 15s., the goods of William Bauley.

CHRISTOPHER CAPON. I am a hotpresser. On Friday, the 29th of May, the prisoner came to the back entrance of my employer, in High Holborn—I was standing at the door, and asked what he wanted—he said, "Mr. Bauley's prints;" Frost was standing a little farther off, and said he would fetch them, which he did, and the prisoner carried them off.

JOHN FROST. I am in the employ of Mr. Woolly. On the 29th of May I was in the shop, and gave the prints to the prisoner, because I heard him ask Capon for them, as I knew he had been in Mr. Bauley's service.

WILLIAM BAULEY. The prisoner was in my service about eighteen months ago—I discharged him in January, 1839—I did not authorise him to go for this portfolio and prints—he did not bring the portfolio to me—all I know is, I sent it there, and it was fetched away in my name, I suspected him, and gave him into custody—this is my property.

JEREMIAH CAMPBELL. I am a pawnbroker, and live in High-street, Newington-butts—I received this portfolio in pawn of the prisoner.

(The prisoner pleaded poverty.)

GUILTY. Aged 28 —Confined Three Months.

1658. NATHAN NATHAN was indicted for stealing, on the 17th of May, 1 handkerchief, value 5s., the goods of Edward Thompson, from his person.

EDWARD THOMPSON. I am a draper. On the evening of the 17th of May I was in Bishopsgate-street Without, at a quarter or ten minutes past nine o'clock—I turned round, and saw the prisoner in the act of collecting himself—I told him he had something about him that did not belong to him—I then charged him with the theft—he said, "Oh, I saw a boy take your handkerchief, and there lies your handkerchief in the road," pointing to it—I was going to it, and a man was going towards it—I said, "Don't touch my property," and he said, "I have been watching the man that took your handkerchief; there it is, and the man you spoke to robbed you."

Cross-examined by MR. PAYNE. Q. Were you walking with a lady?
A. Yes—I felt a tug at my pocket—I saw the prisoner turning down a street, and charged him with it—he did not come back towards the place where he pointed out the handkerchief—he was standing where I overtook him, about six paces from where it occurred—I saw something dark in the road, and ran immediately towards it—I turned immediately I felt the tug—when I turned to go to the handkerchief, the witness got to it about

a yard before me—I arrived on the spot before he left it—I do not believe I swore before the Magistrate that I met the witness—(*reading his deposition*) “I went back, and met the next witness, who had picked up my handkerchief, he said, ‘Here is your handkerchief, and that is the man who robbed you’”—I might have met him without his moving a step—I ran after the prisoner, I did not catch him—I have no decided residence at present—I should have had if I had not been detained here.

JOSEPH HOUGHTON. I was passing, on Sunday, the 17th of May, through Aldgate, and saw the prisoner and another man taller than him feeling various people’s pockets—I watched him down Houndsditch to Bishopsgate—I went on the other side, and saw him take the handkerchief out of the prosecutor’s pocket—the prosecutor turned, and he threw the handkerchief down—I went towards it, and said to the prosecutor, “That is your handkerchief, and that is the man that took it”—directly the prisoner heard that he set off as hard as he could—I gave the handkerchief to the prosecutor—we ran after the prisoner—he was turning a corner, a boy took hold of his legs and threw him down.

Cross-examined. **Q.** What are you? **A.** A coachmaker, apprentice to Mr. Hill—I live at my father’s, in Whitechapel-road—I gave evidence last Session—I did not say then that I was apprentice to a cabinet-maker—I have been a witness three times in criminal cases—I spoke first to the prosecutor, I believe—he might speak first to me—it was just at the time the prosecutor turned round that the prisoner dropped the handkerchief—I think the prosecutor told me not to touch the handkerchief—I told the prisoner he was a very great thief—I had seen him several times.

RICHARD EBENEZER HOWELL. I am an officer. I took the prisoner, and have the handkerchief.

GUILTY.† Aged 19.—Transported for Ten Years.

1659. **THOMAS HOLLOWAY** was indicted for stealing, on the 25th of May, 33lbs. weight of lead, value 4s.; 5 taps, value 2s. 6d.; and four chisels, value 1s.; the goods of Thomas Collett and another, his masters.

JULIAS FLORENTINE RICHARD DE GREVEROT. I am in the service of Thomas Collett and another, who live in Ranelagh-road, Pimlico. The prisoner was formerly their stoker—when he went to dinner, on the 25th of May, I had some suspicion, I called him into the house at twelve o’clock, and found these two pieces of lead in his pocket—I know it belongs to the company.

Cross-examined by **MR. BALLANTINE.** **Q.** Who is Mr. Collett? **A.** He is one of the proprietors, and one of the committee—there are three members of the committee, and Mr. Collett is one. **NOT GUILTY.**

1660. **ANN KERRIDGE** was indicted for stealing, on the 26th of May, 1 $\frac{1}{4}$ yard of silk, value 6s., the goods of David Scott; and that she had been before convicted of felony.

ELIZABETH SCOTT. I am the wife of Alexander Scott, and keep a bonnet-shop at Edmonton. This property belongs to David Scott, my husband’s brother, and was trusted to me—on the 26th of May the prisoner came respecting a bonnet—this silk was in a cupboard in the shop—I did not see the prisoner there myself—I missed the silk afterwards—this is it—(*looking at it.*)

Cross-examined by **MR. PAYNE.** **Q.** What do you know it by? **A.** I

made some of it up before—I received it of David Scott's wife, to be made up into a bonnet for her—I had seen it on the evening of the 25th of May, about ten o'clock.

MARY ANN LAYTON. I am shop-woman to Mrs. Scott. The prisoner came on the 25th of May, about seven o'clock in the morning, respecting a bonnet she had left—I left the shop at the prisoner's request, to speak to Mrs. Scott—I know the silk was in the cupboard, which was not locked—I missed it afterwards.

Cross-examined. Q. How long were you gone to speak to Mrs. Scott? A. Not more than two minutes—the prisoner went away two or three minutes after I came down—she lives at Edmonton—I never was at her house.

COURT. Q. When you went away you left her in one part of the shop? A. Yea, and when I came down I found her in another.

JAMES HARRISON (*police-constable S 32.*) I apprehended the prisoner, and found the silk in her house, under the cover of the table—she was living with her parents.

Cross-examined. Q. When did you first go to her house? A. On Wednesday, the 27th—it is in Meeting-house-lane, Upper Edmonton, leading out of the high road—I did not find any thing then—I found this property on the next day.

JOHN CAMP. I am an officer. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

Cross-examined. Q. You have heard nothing bad of her since? A. No—her father and mother are decent people.

GUILTY. Aged 27.—Confined Six Months.

1661. WILLIAM SEAMAN was indicted for stealing, on the 27th of May, 110lbs. weight of iron, value 3s. 6d., the goods of John Joseph Bramah and others, his masters; and THOMAS WARREN, for feloniously receiving the same, so as aforesaid feloniously stolen; well knowing the same to have been stolen.

MR. ESPINASSE conducted the Prosecution.

EDWARD DANSON. I am foreman to Messrs. John Joseph Bramah and others, the engineers. They have the contract for supplying the iron work of the Blackwall Railway—Seaman was in their employ last month—he was not authorized to take any waste iron for himself—it was to be taken to our own stores, at our shop in Margaret-street, Commercial-road.

JOHN CANTWELL (*police-constable K 220.*) On the 27th of May, I was on duty on the Blackwall Railway, I saw Seaman there, about half-past seven o'clock, with a bag—he went from the Cannon-street bridge to the next bridge, and there he picked up the iron, and put it into the bag—it was the chippings of the bridge—he went away with them—I called the other officer, and followed him down the ladder, on to Wellbeck-street, and then to Chapman-street—I did not see him go into any house—I saw him going up Wellbeck-street, and there we apprehended him—I went into Warren's house, which is at the corner of Chapman-street—I saw the officer, Overton, who was standing in the back kitchen—I did not go into the back kitchen—I heard some person talking there—I did not see Seaman—I then went out into the next street, the other officer came by me, and said, "They are

gone into the next street"—I followed the other officer into the next street, and saw Seaman going away with the bag at his back, and making the best of his way off—I took Seaman into custody—he did not say any thing—this is the iron—(*producing the iron.*)

EDWARD DANSON. This iron is the property of Messrs. Bramah and Co.

Cross-examined by MR. PRENDERGAST. Q. How do you know it? *A.* I know it comes from the bridge at the railway.

HENRY OVERTON (*police-constable K 373.*) I was on duty on the 27th of May, on the Blackwall Railway—I went with Cantwell after Seaman—I followed him into Back-lane—he had a bag on his back—I saw him go into Warren's house, No. 2, Upper Chapman-street—he went in at the front door—I followed him right through the house, into the back kitchen, looked through the window, and saw Warren and Seaman in the back yard—the bag was at their feet, between them—I was not there above a moment when Warren turned round and saw me—(his back was towards me when I got to the window)—he said to Seaman, "Be off, be off, the police are after you, I will have nothing to do with you"—Warren then helped up the bag with his left hand, and beckoned to Seaman to be off with his right—I came out of the passage into Upper Chapman-street, into Wellbeck-street, and saw Seaman making off with the property—he said he was going to his master's house, in Salmon's-lane, Limehouse—I asked what he did in the marine-store shop with it—he said Warren had called him in to tell him of his mother who was come from the country—I took him to the station-house, and then went to Warren's—Warren keeps a marine-store shop.

Seaman's Defence. I went in to light my pipe—I did not stop a minute—I went in one way, and saw the gangway open, and went out the other.

SEAMAN—GUILTY. Aged 26.—Confined One Month.

WARREN—NOT GUILTY.

1662. WILLIAM CASEY was indicted for stealing, on the 30th of May, 5 iron bars, value 7s., the goods of Matthew Wyatt.

WILLIAM BAILEY. I am labourer to Mr. Matthew Wyatt. On the 30th of May, I was at work in Victoria-square, Arabella-row—there were some iron-railings there when I went to dinner, and when I came back they were gone—I have known the prisoner eight or ten months—I went to a marine-store shop, and found him there with five iron-rails in the scale—they were weighing them for him—I told him this would not do, and then took them to Mr. Stuckey, the clerk of the works—the prisoner was a bricklayer's-labourer there—these are the rails.

Cross-examined by MR. PAYNE. Q. Were these old railings of the houses? *A.* Yes—they were lying about under the old buildings—there were about eight in that place—there were twenty lying about.

GEORGE ——. I was at the shop when the prisoner brought in this iron, about half-past two o'clock—he put the bars into the scale, and asked if my master was at home—I said he was not—he said he wanted to sell them.

JOHN YODALL. I saw the prisoner take away these five iron bars from the work, about half-past two o'clock that day.

JOHN CURRY (*police-constable B 104.*) I took the prisoner.

Cross-examined. Q. Did he say any thing? *A.* He requested the

clerk not to press the charge, as he only took the bars to get a drop of beer.

GUILTY. Aged 48.—Confined One Month.

1663. **WILLIAM JACOBS** was indicted for stealing, on the 20th of May, 1 bag, value 6*d.*, the goods of Frederick Peter Nicholas de Kruger, from his person.

FREDERICK PETER NICHOLAS DE KRUGER. On the 20th of May, about a quarter before nine o'clock in the evening, I was passing from Cecil-street to Castle-street, St. Martin's-lane—I had a bag and a pocket-book in the right side pocket of my coat—two lads overtook me in Castle-street, and spoke to me—I put my hand to my pocket, and the bag was gone—I had not felt it taken out, nor had I missed it—I went to the station-house and saw it.

THOMAS FLETCHER. I was in St. Martin's-lane. I saw the prisoner put his hand into the prosecutor's pocket, and take out something dark—it appeared like this bag—there was another person with the prisoner—they turned back—I went after the prisoner, and gave him into custody—he dropped this bag—(*producing it.*)

JOSEPH MANNERS (*police-constable F 79.*) Fletcher gave charge of the prisoner and his companion—I took them both—the other broke away, and went in the direction of Charing Cross.

Prisoner's Defence. I was standing by when the officer took the other, who got away—I went with him quite quietly.

GUILTY.* Aged 22.—Transported for Ten Years.

1664. **JAMES WOODHOUSE** was indicted for stealing, on the 20th of May, 1 saw, value 5*s.*; 1 plane, value 3*s.*; 1 square, value 3*s.*; 1 bedwinch, value 1*s.*; 1 chisel, value 1*s.*; 1 gouge, value 6*d.*; and 1 pair of callipers, value 6*d.*; the goods of William Bradick, his master.

WILLIAM BRADICK. I live in West-street. The prisoner was my journeyman—he had been with me a fortnight—I missed part of this property on the 20th of May, when he went to dinner—after four hours I found him in a public-house, and gave him into custody—the officer found the duplicates of some property on him, and I found some articles at another place.

Prisoner. Q. When did you lose these? *A.* On the Wednesday—it was the day I took you—I must have lost part of it before certainly, because a man bought part of it of you before—I had missed some things then—I suspected another person, whom I challenged with it—I swear the whole of these articles are mine—I said at Bow-street, that I was not certain whether the callipers were mine, but I consider they are.

GEORGE POND. I am a cabinet-maker. I produce a chisel, a callipers, and gouge, which I bought of the prisoner on the 13th of May, for 10*d.*, all rusty—I cleaned, and ground them, and put them at my door—Mr. Bradick came and owned them.

Prisoner. Q. What did you give me for them? *A.* 10*d.*

THOMAS ROWLEY. I am a pawnbroker. I took in this bedwinch, tenant-saw, square, and smoothing-plane, on the 20th of May, to the best of my belief of the prisoner.

MORRIS MALOY (*police-constable F 62.*) I was on duty in Spitalfields, and took the prisoner—I found on him four duplicates, two of them relate to these things.

Prisoner's Defence. I know nothing of the chisel, the gouge, and the

callipers—the others I pledged, but the reason was, I had agreed to pay the prosecutor 10s. for them—I was to have paid it by instalments—I got tipsy on the Monday—on Wednesday I went to work, and asked for money, and it was refused—I took these things, and went to a pawn-brokers, which is a most noted place for cabinet-maker's tools, and I knew the prosecutor would go there—I made no concealment of myself—he found me very easily—he had a person here before, and he swore to the articles, and another witness swore to them by some private marks, and he was told never to show his face again in the Court.

COURT to WILLIAM BRADICK. Q. Had you ever bartered with him to sell him any part of this property? A. Not the least, for since these have been gone, we have had to buy others—I had advanced the prisoner some money on the Saturday previous—I had a person here once before, and the charge was not brought home to him, but what the prisoner states is not true.

GUILTY.* Aged 29.—Confined Six Months.

1665. GEORGE BARTLETT was indicted for stealing, on the 5th of June, 1 bag, value 6d., and 1 handkerchief, value 6d., the goods of Sophia Gouthier, from her person.

SOPHIA GOUTHIER. I am single. On the 5th of June, I was in Regent-street—about a quarter before four o'clock in the afternoon, the prisoner came up to me and took this bag from my arm—it contained this handkerchief—the policeman saw the prisoner take it.

BENJAMIN ROUND (*police-constable C 149.*) I saw the prisoner take this bag from the prosecutrix's arm—he had come to me before and told me he meant to do something to have himself taken into custody—I cautioned him against it, and told him he would find imprisonment or transportation different to what he expected—he went on before me and took this.

GUILTY. Aged 17.—Transported for Ten Years.

1666. HENRY THOMAS was indicted for stealing, on the 23rd of May, 1 pistol, value 5s. 6d., the goods of James Christmas.

GEORGE AGUTTER. I am in the service of James Christmas, a salesman, in Old-street-road—he sells all sorts of articles—on the 23rd of May, he had this pistol just by the door outside—the prisoner came by about eleven o'clock, and took the pistol, hid it, and walked away—I went in and told my master—I followed the prisoner, who had got about one hundred yards, and took him—this is the pistol—(*looking at it.*)

Prisoner. Q. Did you see me take it? A. I saw you hide it under your coat, and when I saw you in another street, you had got the butt end of it in your hand, and the barrel up your sleeve.

WILLIAM SANDERS (*police-constable N 170.*) I stopped the prisoner—he had got the pistol in his right hand pocket.

Prisoner's Defence. I went past the prosecutor's shop, the witness said that I took up a flute, and asked the price, which he said was 5s. 6d., but I did not stop at all—I went on, a young man passed me, and threw the pistol down—I took it up and put it into my pocket, the witness came and asked me to go back—I said I was going back in a few minutes, but he followed me and gave me in charge.

GUILTY.* Aged 19.—Confined Six Months.

OLD COURT.—Saturday, June 20th, 1840.

Fourth Jury, before Mr. Common Sergeant.

1667. WILLIAM WYLIE was indicted for stealing, on the 25th of June, 1 pair of trowsers, value 5s.; 1 waistcoat, value 3s.; and 1 cap, value 2s., the goods of Charles Green, in a certain vessel, in a certain port of entry and discharge; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

1668. JANE HICKMOTH was indicted for stealing, on the 20th of May, 1½ yard of silk, value 4s.; 1 pair of stockings, value 6s.; 2 crowns, 30 half-crowns, 30 pence, and 60 halfpence, the goods and monies of Jacob Cohen, her master; to which she pleaded

GUILTY. Aged 24.—Confined Six Months.

1669. JOHANNA HICKS was indicted for stealing, on the 4th of June, 1 basket, value 2s., the goods of Charles Danieli; to which she pleaded

GUILTY. Aged 24.—Confined One Month.

1670. EDWARD MORAN was indicted for stealing, on the 12th of June, 2 printed books, value 10s., the goods of John Williams, to which he pleaded

GUILTY.* Aged 15.—Transported for Seven Years.—Ship.

1671. ARTHUR MORRELL was indicted for embezzlement.

JOSEPH BENFORD. I live in Whiskin-street, Clerkenwell. The prisoner was my errand-boy—it was his duty to receive money for me occasionally, and to account for it the same day, to me or my wife—he did not pay me any money on the 16th of May from Mr. Faldo.

Prisoner. I never received it—they did not pay me when I went, at least I did not go myself—it was another boy who went. *Witness.* If they did not pay him, he would tear up the receipt—I do not know the prisoner's writing.

CHARLOTTE BENFORD. I am the prosecutor's wife. I never received this 3s. from the prisoner—on the 16th of May, he told me Mrs. Fenado was out, and she would come and pay me on the Monday morning.

JOHN FALDO. I deal with the prosecutor. On the 16th of May, the prisoner came to me for 3s., which I paid him—I am sure he is the person—this is the receipt—he wrote his name on it "Runaford"—(looking at it)—he brought a bag for some things which I had been cleaning.

Prisoner's Defence. I sent the other boy in, and he put his own name on the bill; he told me he was not paid, and he was to go for it on Monday morning—I did not go into the shop at all.

GUILTY. Aged 15.—Confined Six Months.

(There was another indictment against the prisoner.)

1672. SARAH GOULDING was indicted for stealing, on the 6th of April, 1 gown, value 1s. 3d.; 1 shift, value 6d.; 1 cap, value 3d.; 1 apron, value 6d.; and 1 napkin, value 6d.; the goods of Thomas Gray; and that she had been before convicted of felony.

MARY GRAY. I am the wife of Thomas Gray, a gardener, and live in King-street, Islington. I left home on the 31st of March to go out nursing—I came home on the 6th of April, and missed the articles stated,

which I had seen safe when I left home—on the 22nd of May I met the prisoner—I had seen her before—I watched her to No. 46, Windsor-street—I got a constable, gave her in charge, and found my cap and shift in her possession, and my gown on her back—these are them—(*looking at them.*)

CHRISTIAN SACKS. I am a shopman to Mr. Smith, pawnbroker, Lower-street, Islington. I produce a napkin and apron which were pledged on the 8th of April, in the name of Sarah Golding—I do not know who by—I do not know the prisoner—this is the counterpart of the duplicate.

MICHAEL SULLIVAN. I am a policeman. I got this duplicate from the prisoner's room at No. 46, Windsor-street—I found twenty-six other duplicates, but none of them referred to this property—I took her to the station-house, then returned to the room and found this shift and cap—she had the gown on her back—she said she had bought the things—I asked her if she could show me the person she bought them of—she said she could—I did not go with her, but I offered to go.

Prisoner's Defence. I bought the things with a pair of boots and grey trousers of a woman in Rag Fair, but she was a stranger to me; I do not know the price I gave for them.

HENRY ALLEN. I am a policeman. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clarke's office—(*read*)—she is the same person.

GUILTY. Aged 51. Transported for Seven Years.

1673. SUSAN SNELL was indicted for stealing, on the 20th of April, 1 towel, value 1s.; 1 bag, value 6d.; 6 pairs of stockings, value 12s.; 1 pair of gloves, value 6d.; and 1 bed-gown, value 1s.; the goods of Frederick William Coe, her master.

MR. PAYNE conducted the Prosecution.

SARAH TATHAM COE. I am the wife of Frederick William Coe, of Riverswell Cottage, Park Village. The prisoner was our servant—I missed six pairs of stockings, and mentioned to the prisoner having missed them—she said she knew nothing of them—I went to Gravesend, leaving the prisoner in town—when I got there I found my box was not in the same state as when I packed it up—I came to town on the 30th of May, sent for a policeman, and asked the prisoner if she would object to have her box searched—she said she had no objection—I was present when the policeman searched it, and found a towel and a black satin reticule—these are them—(*looking at them*)—they belong to me—the box was locked—I had never given her these things—she said nothing when they were found.

Cross-examined by MR. HORRY. Q. She had been in your service eighteen months? A. Yes—I had a character with her, but not for honesty—she attended me to my satisfaction, a long time while I was ill—she had a bad thumb, but it was quite well when I went to Gravesend—I went to Gravesend on the 8th of May, and took a nurserymaid with me—she did not assist in packing my box, nor did the prisoner—I did it myself—I left it in my bed room unlocked all one night—I left the prisoner alone in the house when I went to Gravesend—I owe her 3*l.* for wages—I left her 7*s.* for the first week, and 7*s.* for the second, which Mr. Coe's clerk took her—I was away five weeks altogether, but I came to town at the end of three weeks, gave her into custody, and then went back again—she wrote to her at the end of a fortnight to say we were coming home—she

ordered whatever was required—the 7s. was for board wages—the nursery maid is not here.

MR. PAYNE. *Q.* Have you any reason to suspect your other servant?
A. No—I gave the prisoner more than 3*l.* to pay the tradesmen's bills; but I find they have not been paid.

EDWARD RICHARDSON. I am a policeman. I searched a box at Mrs. Coe's house in the prisoner's presence, and found these things—the prisoner said nothing when they were found—on the same day I went to the prisoner's mother's, in Brunswick-grove, Holloway, and found in one box a pair of stockings, and another pair in another box, with a pair of kid gloves and a child's night-gown—under the bed-clothes I found four pairs of stockings, wrapped up, I believe, in an apron.

Cross-examined. *Q.* They were not concealed, I believe, you got at them quite easily? *A.* By turning the bed up—they were concealed so far that they were underneath the bed—the boxes were unlocked and open.

ELIZABETH SNELL. I am the prisoner's mother, and live in Brunswick-grove, Hornsey-road. The things which the policeman found were sent to me by the prisoner to wash and send back again—it was about a fortnight before I was before the Magistrate—as the family were out of town I did not wash them directly—I did not wash for the family—I often washed for my daughter, because her thumb was bad—she told me to wash them—she did not tell me how she got them—I am telling the truth—she gave them to me to wash, and take back again.

Mrs. Cox re-examined. The things found at the prisoner's mother's are mine, and are part of the property I missed—when I last saw the stockings they were clean, and would not want washing.

GUILTY.—Confined Nine Months.

1674. **JOHN DALE** and **WILLIAM JONES** were indicted for stealing, on the 9th of June, 7 pints of brandy, value 5*s.*, the goods of the London Dock Company, the masters of John Dale.

MR. BALLANTINE conducted the Prosecution.

JOHN CLEMENTS. I am a constable in the service of the London Dock Company. In consequence of instructions I had received, I was watching on the 9th of June with two other officers in the docks, near a privy at the back of the south warehouses—I could see who came in and out of the privy, without being seen myself—about twelve o'clock in the day I saw the prisoner Jones come to the privy door, and go in—he came out again immediately, went to a dust heap close by, picked up a piece of printed paper, and seemed reading it—in about five minutes a man, having the appearance of a butcher's man, came out of the privy—Jones did not return to the privy then, but remained at the heap about five minutes longer—he appeared to be looking at the paper, and frequently looking towards the brandy vault, and also towards the South-quay—I then saw him look towards the brandy-vault, and make a motion with his hands to his head, and go into the privy—in about half a minute Dale followed him—he is a labourer in the company's employ, and was employed in the brandy-vault at that time—when Jones first came to the privy, he came from the direction of the brandy-vault—Dale remained in the privy about a minute—he was not there long enough to have performed any office of nature—when he came out, Rudkins the constable

seized him—I went into the privy, and saw Jones standing with his back to one of the seats, buttoning up his trowsers—there are five seats in that privy—I laid hold of him, and said, “You are my prisoner”—I searched him, and found concealed in the seat of his trowsers, and fastened round his body with a string, this India-rubber bag, containing seven pints of French brandy—I asked him where he got it from—he said he had found it in the privy, lying under a piece of old sack—I observed that there was not a piece of old sack there—the prisoners were both taken to the station-house—I asked Dale what he was doing in the privy—he said he went there to ease himself—I said, “Then were you taken short?”—he said, “Yes”—I said, “And yet you passed two privies to go there, and there is one alongside the vault at which you work, and you know that”—he made no answer—he had passed two privies before he came to this one—I then went to the brandy-vault, to the gang where Dale was working—I found a bottle of brandy near where I understand Dale had been working—I had not seen him there myself—I also found a valinch or syphon wet with brandy.

Cross-examined by Mr. PRENDERGAST. Q. There are a great many of those things in the docks, are there not? A. There are—I believe there were eight labourers in the brandy-vault that day, but more than that have admission—the privy Dale went to is about three hundred yards from the brandy-vault—it is between the south quay and the brandy-vault—Jones looked first one way, and then the other—I cannot tell why he looked towards the south quay.

Prisoner Jones. Q. Is there not plenty of shipping lying in the docks with brandy on board? A. There are two or three discharging brandy at present—there are not two or three dozen that I am aware of—the strength of the brandy I took from you has been tried with that taken from the cask—I believe it is not the same proof—I believe it is part of the brandy in the Company’s custody, having found it on you.

MR. BALLANTINE. Q. Is the south-quay a public place? A. Yes—persons coming from there might have seen Jones—he looked towards there frequently, but he made the signal towards the brandy-vault.

DANIEL RUDKINS. I was on duty with Clements on the 9th of June, and a little after twelve o’clock saw Dale on the brandy-quay, which joins the brandy-vault—I saw him come towards the bridge which leads to the south-quay—he walked to the back of the south warehouses, and I followed him, and saw him go into the privy—he had passed two privies before he got there—he remained there about a minute—I stopped him when he came out, and asked where he worked—he said, “In the brandy-vault”—I asked what business he had at that privy—he gave no answer—I searched him, but found nothing on him—he was in a working dress—this bag might very well have been concealed about his dress.

Cross-examined. Q. What clothes were they? A. Clothes they put on to prevent their dirtying their other things, as the vaults are very dirty—other workmen wear the same kind of dress—this happened at luncheon time.

MR. BALLANTINE. Q. Then it would be known that parties could get away during that period? A. Yes—they have twenty minutes at luncheon—he had his luncheon in his hand—the men are not allowed to go from the place where they work.

MICHAEL NASH. I am head-man of the brandy-vault gang—Dale

worked there on the 9th of June—the last time I saw him at work in the brandy-vault was about ten minutes before twelve o'clock—he was then at work rolling a hogshhead of brandy from the back-cellar to the front.

Cross-examined. Q. How many men were employed in the brandy-vault altogether? A. About twenty—I was there all that morning—this syphon does not belong to me, it belongs to the Company, I suppose—I do not know whether we had been using it that morning—it is a usual thing to have in the cellar—the coopers use it.

MR. BALLANTINE. Q. I suppose they use it when they have directions to do so? A. Yes—Dale is not a cooper.

CHARLES WEBB. I am a cooper of the brandy-vault. I examined two puncheons of brandy on Wednesday morning, the 10th of June, to see if they were of the same description as that found in the bag—I found the bungs had been forced out and stuck in again—one appears to be the same colour and the same quality of spirit, but not the same strength; but every time spirit is turned from one thing into another, the strength evaporates—going into this bag would alter it materially—Clements told me what was done with the brandy—I think what he says has been done with it would account for the deficiency in strength—in other respects the brandy is precisely similar—two gallons were missing from one cask.

Cross-examined. Q. One puncheon was of the same colour as this? A. Yes—the other was not—they were alongside each other—about the same quantity was gone from each—there were three or four other casks with the bungs out, but no loss—we find some bungs out every day—I have used the syphon hundreds of times—I am a cooper.

PRISONER JONES. Q. You saw the brandy tested? A. Yes—there was eight per cent. difference—I have samples here—brandy would lose strength in going from a cask into a bag—I cannot say how much strength it would lose—it depends on whether the bag is wet or dry.

JURY. Q. Whether the bag was wet or dry, would it make more than one or two per cent. difference? A. I cannot say—if it was dry I do not think it would.

MR. PRENDERGAST. Q. Do not the men generally walk about the docks at luncheon time? A. Our people have no business over the bridge—it is not a regular thing—they ought not to leave the brandy-quay at all—I have not seen them do so.

JOHN CLEMENTS *re-examined.* I presume that the brandy was put into the bag by means of a syphon—after I took it from the prisoner I poured it out into three measures to ascertain the quantity—I poured it back again into the bag before the Magistrate, and when it came from there it was put into the stone bottle where it now is—part of it has been poured backwards and forwards three or four times since, to compare before the Magistrate—I told Webb what had been done with it, and Mr. Reed also.

WILLIAM KINDERSLEY REED. I am an officer of Customs, and am a judge of the relative strength and quality of liquors—I have tried the strength of these two samples—there is about eight per cent. difference between them—I think what has been done with the brandy taken from the bag would account for that difference—it is similar to the other in colour and taste.

Cross-examined. Q. How long have you had experience in these mat-

ters? *A.* Three or four years—I do not think the deficiency in strength affects the colour, but I have not directed my attention to that—I never made this sort of experiment before, but I know that the action of the air causes the spirit to evaporate, and that there is greater evaporation and loss of strength in a small quantity than in a large one—I never valued or gauged a stock from one merchant to another—the brandy at the dock is proof—this is eight per cent. under proof—the bag contained seven pints.

Prisoner Jones. *Q.* You are a gauger at the London Docks? *A.* Yes—I was a printer before that, in Lincolnshire—I served my time to it at Grantham—a friend got me my present situation—I was placed under instruction before I was admitted—I was in business for myself before I took this situation—I did not fail—I was recommended by persons who knew me from a child.

Jury. *Q.* In your opinion, what quantity of water would it take to reduce that seven pints of brandy to the state it is in now? *A.* About a pint and a half.

Jones's Defence. I went into this privy for a necessary purpose; I saw a man sitting there in an obscure corner behind a stone, and I came away and waited till he came out; I then went in directly; there was a piece of matting in the corner where the man had been; I put my foot against it, and saw this bag lying underneath it; I pulled it out and tasted it; at that moment Dale came into the privy; I had never seen him before; he went out again directly, and never spoke to or looked at me; I was then coming out with the bag in my possession, when the officer said I was his prisoner; I told Clements at the station-house that I had found the brandy under a piece of matting; he went away, returned, and said there was no mat there, but this was an hour afterwards; the man looked to me like a labourer; he had a fustian coat and fur cap on; the spirit is eight per cent. under proof; it may belong to one of the ships, and not to the Company at all.

NOT GUILTY.

1675. ISAAC MENDALSON was indicted for stealing, on the 31st of May, 1 hat, value 2s.; 1 waistcoat, value 4s.; 1 watch, value 1*l.* 5s.; 3 seals, value 13s.; 2 watch-keys, value 7s.; 1 eye-glass, value 12s.; 1 brooch, value 8s.; 1 breast-pin, value 2s.; 5 rings, value 2*l.* 16s.; 1 piece of chain, value 2s.; 7 sovereigns, and 3 shillings; the property of Jacob Alexander.

JACOB ALEXANDER. I live in Goulston-street, Whitechapel—I know the prisoner—I met him on Saturday, the 31st of May, about twelve o'clock, and said something to him about a bed—he said he was a countryman of mine, and I should encourage him—he said he had a single-bedded-room—I went with him to No. 24, Tenter-ground, and instead of finding a single-bedded room, I found his wife and child, and all in one room—I said, "For heaven's sake! am I going to sleep in this room?"—he said he would make an alteration—I did not know where to go to, being a stranger in London, and thought I might as well stop there—I had seven sovereigns and three shillings, and the articles stated, with me—as I undressed myself, I dropped them out of my pocket—he said, "What have you there?"—I said, "Money"—he said, "Take care of it"—I said, "I am not among strangers, I can put it on the table," which I did, in my hat—I went to sleep—when I awoke, his wife said, "Jacob, get up, my husband has gone to work at two o'clock this morning"—I said "A journeyman in England

go to work on Sunday morning, and at two o'clock!"—my cousin, David Dobaganski, was with me in the same room—he is not here—I wanted to bring him as a witness, but he would not come—I found my hat was gone, and the prisoner's left in its place—his wife said, "He took your hat in a joke, he will be back again by eight o'clock"—I found all my things were gone—his wife afterwards said he would not be back for four days—she *bolled* with the child while I went for a policeman, and was not found for four hours—in consequence of information, I went to Cambridge, and saw the prisoner there—he had written a letter to a friend of his in London, and that friend came and told me of it—I got a policeman and gave him in charge—this is all my property—(*looking at it*)—they are second-hand things—I am a licensed hawk—*the prisoner is a tailor as far as I know.*

Cross-examined by MR. PRENDERGAST. Q. Had you come from the country on the Saturday morning you met the prisoner? A. No, the day before—I came from my lodging that morning and met the prisoner—he said, "Why not encourage me?" and I did, for the sake of mercy—I slept in Sun-square, Bishopsgate, on the Friday night—I had not been in any prison that I know of—I was in prison so far as this, for a debt of 2*l.* 15*s.* which I owed a man for some goods—he took me to the Compter, but he came to me in the morning and I paid him.

Q. How came you to tell me you slept in Sun-square? A. To tell you the truth, you bother me so much—I was not charged with swindling—I do not call it swindling—I had some goods of Mr. Marks Cohen on commission; he charged me 2*l.* 15*s.* for them, I would not give more than 2*l.* 5*s.*—I wanted to return them, he would not take them, but had me taken up—I was not walking with the prisoner on Sunday morning down Bishopsgate-street, on the road to Cambridge—he had robbed me and gone off before I awoke—I did not see him at all on Sunday—I have never gone by any other name than Jacob Alexander—I never went by the name of Barnett Josephs—I have a brother who is called Barnett Josephs—I have never been known by that name myself—I do not know why my brother is called so—if people call me so, I tell them my name is Jacob Alexander—my brother has been seventeen years in England, I have been four years here, but I am a stranger to London—I travel about the country—I come to London occasionally to buy goods—I have a cousin named Marks Cohen—I am sorry to have such a cousin—it was he that told me the prisoner was at Cambridge—I never told him that the prisoner had given information by which I had been taken into custody, and I would do the same to him as he had done to me—I never said any thing of the sort—the prisoner had nothing to do with my being in prison—I should have taken a policeman to Cambridge with me, but I had not sufficient money.

WILLIAM HACKNEY. I am a policeman of Cambridge. On Wednesday night, the 3rd of June, the prosecutor came to me and said he wanted me to go with him to the Old Red Lion public-house, to take a man into custody, who had robbed him in London—I went, and he pointed out the prisoner, who was sitting in a chair—I asked him what he had been robbed of, and he described the articles stated before I found them—I took the prisoner to the station-house, searched him, and found six sovereigns sewn in the cuff of his coat, half a sovereign, four shillings, and two sixpences, in his right hand trowsers pocket; this waistcoat was in his coat pocket, with this pin and brooch in it; these five rings in his neck handkerchief, and the watch in his

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right hand trowsers pocket—as we were going to the station-house he said, “I am very sorry I did it, for I was going to Manchester.”

Cross-examined. Q. Were not the words, “I am very sorry that I have got into it?” A. He spoke in broken English, but the words were as I have said, as well as I could understand.

MR. PRENDERGAST called

HENRY JACOBI. I am no relation to the parties. The prosecutor's name is Barnett Josephs—I do not know his brother—that is the name he bears—I went to school with him in Prussian Poland, and that was his name—I have always known him by that name in England, and have called him so—he came to England before me—I heard of his being in prison a short time ago—I met him a little time afterwards—he said, “Did you hear of the trouble I was in?”—I said I had—he said a countryman of his had *served him out*—I asked who it was—he said, “Never mind, I will not tell you who it was, but I will serve him a trick that he will remember”—I saw him again about an hour after—he said, “Do you know a countryman named Mendalson, he comes from the same town?”—I said, “Yes”—he said, “Will you do me a favour?”—I said, “Yes”—he asked me if Mendalson had some money—I said he had worked very hard, and I thought he had got a few pounds—he asked me to go and fetch him, as he had something particular to say to him—I did so—Mendalson came out, and they had some talk together, but I did not hear what it was—I know this waistcoat—I have often seen the prisoner wear it—I believe he had it on the very Saturday I fetched him to the prosecutor.

COURT, (*by desire of the Prosecutor.*) Q. Don't you know that in Poland there is no such name as Barnett Josephs? A. I have heard the name in Poland—I am certain I saw him on the Saturday with the prisoner—I saw him first in Sun-square, Bishopsgate—there were a good many travellers there—he was given in charge for a fight, and had to pay 30s.—a young man was with me when I saw him with the prisoner, but he is in the country—I have known the prisoner from a child—I came from the same town as him.

MARK COHEN. I am the person that took the prisoner into custody on the Friday night. I gave him some goods on commission—he went away into the country with them, and came back in a different name—he had the goods as “Joseph Barnett Dobagenski,” and he came back as “Jacob Alexander,” and I heard he had done the same trick at Norwich—I asked him to give me back the goods or money—he would not, and I gave him into custody—he denied having the goods altogether.

COHEN. I am the prosecutor's cousin, and come from the same town in Poland. His name is Barnett Josephs—he has been known by that name in England—he was always called so—he has a brother named Isaac Josephs, but he calls himself Barnett Josephs as well—I received a letter from the prosecutor on Saturday morning, stating he was in prison, and asking me to come and settle it for him—I paid 2*l.* 5*s.* for him to settle it, and he repaid me—he asked me the same afternoon to lend him 2*s.*, because he had got no money—he came to me on Sunday morning, and said he was robbed, but I knew he was a great story teller, and turned him out of my house—not one word in ten that he says is true—I never believe him.

COURT, (*by the Prosecutor's desire.*) Q. Did you not go to the station-house with the prosecutor and give a description of the prisoner's person? A. I

did—I did not believe him at first when he said he was robbed, but I went with him—he left his hat at my house, and took a cap with him—I do not say it is the prisoner's hat that he left—he fetched it away on the Sunday afternoon.

SAMUEL RAPHAEL. I live in Bell-lane, Spitalfields. On the Sunday morning, about six o'clock, I saw the prisoner and prosecutor together, near Bishopsgate church.

(The prisoner received a good character.)

GUILTY. Aged 24.—Confined Nine Months.

1676. WILLIAM CONDEN was indicted for stealing, on the 12th of June, 1 purse, value 1*d.*; 1 medal, value 1*d.*; 4 sovereigns, 3 half-sovereigns, 3 half-crowns, 2 shillings, and 2 sixpences; the goods of Marie Joseph Leon de Serin, from his person.

MARIE JOSEPH LEON DE SERIN. I reside in Edmund-street, Portman-square. On Friday, the 12th of June, between two and three o'clock, I was passing along Dean-street, I felt something touch my pocket, and turned round, the prisoner was behind me, and at that moment my purse was in my pocket—a few minutes after I came into Oxford-street, and was about crossing, I heard a gentleman crying, "There is some person taking your purse"—I turned round and saw the prisoner running away—this is my purse—(*looking at it*)—it contains the money stated.

Cross-examined by MR. BALLANTINE. Q. There were several people about you in Oxford-street? A. Certainly—the prisoner ran away immediately—I saw his face and recognized him to be the same person who had attempted my pocket in Dean-street—I am a Count, and derive my title from my father—it has been held in the family—I am entitled to it—I am a Frenchman.

JOHN DOWLE. I live in Poland-street. On Friday afternoon, about three o'clock, I saw the prisoner pass my shop running—there was a cry of "Stop thief"—I instantly ran out, and pursued—I overtook him, and had just caught the skirt of his coat, when he turned short round, and *fetch'd* me a blow right under the eye, which knocked me down—I instantly got up, and pursued him again—I kept him in sight till a brewer's man held up his hands—I came up and collared him—a policeman came up, and I gave him into his hands.

JANE HOLLOWAY. I am the wife of Ezekiel Holloway, who keeps an Italian warehouse in Poland-street, two doors from Mr. Dowle's. I was in the back part of my shop, on this Friday evening—I heard a noise, and on looking round I observed this purse hanging on a soap-tray—it was thrown in by some one—there was no one but me in the shop—I gave the purse to the officer.

WILLIAM TAYLOR (*police-constable C 180.*) I heard a cry of "Stop thief," as I was sitting in my room at Mrs. Holloway's—I lodge there—I looked out of my window, and saw the prisoner running, pursued by Mr. Dowle—I ran down stairs, ran out, and followed; when I got into Berwick-street Dowle had collared him—I took him to the station-house—he had just passed Mr. Holloway's, as I got to the window.

CHRISTIAN DOLL. I was in Mr. Dill's shop, at the corner of Poland-street—I saw the prosecutor pass, and as he crossed Poland-street, I saw a young man follow him, lift up his pocket, and take the purse out—I heard the cry of "Stop thief," ran to the door, and saw Mr. Dowle come

out of his shop—I only saw the person from behind, but it was the same man that Mr. Dowle had the struggle with.

GUILTY.* Aged 20.—Transported for Ten Years.

1677. DAVID HAGGERSTONE was indicted for stealing, on the 3rd of February, 1 pair of trowsers, value 7s., the goods of John Phipps; and 1 hat, value 10s., the goods of George Dearn.

JOHN PHIPPS. I live in Britannia-street, Gray's-inn-road. The prisoner lodged with me, and left on the 3rd of February—he had lodged with me before—I heard him go away about half-past seven o'clock—I wished him good morning as he went out, and he did the same to me—I told him I wanted to speak to him, but he went out and slammed the door—he ought to have come back again, because he had not paid for his lodging—he did not return—I missed a pair of trowsers belonging to my son-in-law, which were in my care, and a hat belonging to George Dearn, my lodger—an old hat of the prisoner's was left behind in the box, in place of it—my lodger and son-in-law had gone out before the prisoner.

GEORGE DEARN. I lodge at the prosecutor's. On the 3rd of February I went out at about ten minutes to six o'clock, leaving the prisoner in bed and the prosecutor's son-in-law dressing himself—my hat-box was underneath the bed—when I came back I found an old silk hat in place of my own—I do not know whose it was—(*looking at his deposition*)—this is my signature—I had it read over to me—I did not positively swear it was the prisoner's hat—I believe it was his.

MILICENT PHIPPS. I am the prosecutor's wife. I heard the prisoner go out that morning—my husband went up, locked the door, and brought the key down—after breakfast I went up stairs to put the boy's things away, and missed the things.

SAMUEL GODSAVE. I slept in the room with the prisoner—I left about six o'clock—the trowsers were then safe—I took my braces off them.

Prisoner. There were other lodgers in the house up stairs, who might have taken them as well as me—I did not take them.

JOHN PHIPPS *re-examined.* No one could have taken them but him—there was no one else in the house—directly he went out, I went up and locked the door—no one went into the room after he came out.

HENRY WEBB. I am a policeman. I received the hat from the prosecutor—the name of Haggerstone is in it.

Prisoner. Then it must have been put in by some of the parties.
Witness. It is in the same state as I received it.

JOHN PHIPPS *re-examined.* I gave it to the officer in the same state as I found it. I did not examine it myself.

Prisoner. Those policemen will swear any thing, particularly that man; my name is spelt different to that.

GUILTY.* Aged 48.—Confined Six Months.

1678. GEORGE JESSETT was indicted for stealing, on the 1st of June, 1 pair of boots, value 5s.; the goods of David Piggott.

DAVID PIGGOTT. I am Captain of the barge *Mary Sarah*. The prisoner was employed by me to work on board. On the 1st of June I missed a pair of boots from the cabin, which I had seen safe on the Saturday night before—these are them—(*looking at them*.)

Prisoner. He lent them to me to wear. *Witness.* I never did.

THOMAS BURFORD. I am a pawnbroker. I produce the boots, which were pledged by Sarah Bissell.

SARAH BISSELL. I pledged these boots at Mr. Burford's—the prisoner gave them to me to pledge on the 4th of June—he said they were his own.

Prisoner's Defence. I had the boots on when I was absent from the barge; I could not walk in them; and pledged them for half-a-crown to go to London to get some money which was owing to me.

GUILTY. Aged 19.—Confined Three Months.

1679. THOMAS FOSTER was indicted for stealing, on the 31st of May, 1 handkerchief, value 1s., the goods of Henry Parker, from his person.

HENRY PARKER. I am a dentist, and live in Great Queen-street, Lincoln's-inn-fields. About a quarter before ten o'clock, on the 31st of May, I was walking in Middle-row, St. Giles's—I felt a hand in my pocket—I immediately turned round, and laid hold of the prisoner—I am sure it was his hand that was in my pocket—there was no one else near me—I missed my handkerchief, which I had felt in my pocket a few minutes before—I did not see it in his hand—it was found in a passage close to where this occurred—this is it—(*looking at it.*)

CHARLOTTE JORDAN. I live in Middle-row, St. Giles's. I got he handkerchief from the passage, and gave it to the policeman.

GEORGE PORTSMOUTH. I am a policeman. I have produced the handkerchief which was given me by Jordan.

Prisoner's Defence. I was walking in Middle-row, and saw two boys and two women behind the gentleman—they turned back, and the gentleman took hold of me, but I never touched his pocket.

GUILTY.* Aged 17.—Confined Nine Months.

NEW COURT.—*Saturday, June 20th, 1840.*

Sixth Jury, before Mr. Sergeant Arabin.

1680. WILLIAM SEDDON was indicted for stealing, on the 13th of May, 1 ass, value 1*l.*; 1 cart, value 1*l.*; and 1 set of harness, value 5*s.*; the goods of Elizabeth Horrod, his mistress; to which he pleaded

GUILTY. Aged 22.—Confined Six Months.

1681. CAROLINE WILLIAMS was indicted for stealing, on the 12th of June, 1 shawl, value 2*s.* 6*d.*, the goods of Robert Linwood; to which she pleaded

GUILTY.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1682. WILLIAM NORMAN was indicted for stealing, on the 15th of June, 1 shirt, value 2*s.*; 1 pair of trowsers, value 1*s.* 10*d.*; 1 pair of boots, value 2*s.*; and 1 brace, value 2*d.*, the goods of William Powell; to which he pleaded

GUILTY. Aged 19.—Confined Three Months.

1683. JANE PINDAR was indicted for stealing, on the 9th of September, 3 blankets, value 5*s.*; 1 tablecloth, value 1*s.* 6*d.*; 1 sheet, value 3*s.*; 1 umbrella, value 1*s.*; 1 pillow, value 17*s.*; 1 tablecloth, value 6*d.*;

1 pillow-case, value 1s.; and 1 towel, value 6d.; the goods of James Bolton; to which she pleaded

GUILTY. Aged 39.—Transported for Seven Years.

1684. **SAMUEL JENKINS** was indicted for obtaining 5s. by false pretences, with intent to defraud John Heaviside, Esq.; to which he pleaded

GUILTY. Aged 17.—Transported for Seven Years.

(There was another indictment against the prisoner for felony.)

1685. **JOSHUA LAKE** was indicted for stealing, on the 20th of March, 1 half-crown, 5 shillings, 2 sixpences, and 1 halfpenny, the monies of Anthony Shaw, his master.

SARAH SHAW. I am the wife of Anthony Shaw—we sell coals, and live in Bloomsbury market—the prisoner was our servant for six or seven weeks. On the 20th of March he told me he had to take a half-hundred weight of coals and a bushel of coke to Mrs. Crank, with change for a half sovereign—I gave him a half-crown, five shillings, two sixpences, and a half-penny—he left the barrow in the street, and never returned—he left me without notice—I never received the half-sovereign.

ELIZABETH CRANK. On the 20th of March the prisoner brought some coals and coke to me, but did not bring me any money—I did not give him any half-sovereign.

GUILTY. Aged 20.—Confined Three Months.

Before Mr. Justice Littledale.

1686. **EDWARD REED** was indicted for stealing a certain post letter containing a half-sovereign, he being employed in the Post-office, the property of Thomas William Earl of Litchfield, Her Majesty's Postmaster-General. Six other Counts, varying the manner of stating the charge.

MESSRS. SHEPHERD and ADOLPHUS conducted the Prosecution.

JOHN BLACKALL. I am in the employ of the post-office at Brompton—the prisoner was also employed there. On the 19th of May last in the morning I was on duty at the branch office at Chelsea—the prisoner was there sorting letters, separating them to different divisions—he is a carrier to one of the divisions as well as a sorter—his division is Chelsea—something struck me while he was sorting his letters, in consequence of which I watched him and observed him take a letter from a bundle which was before him, and put it into the left-hand breast pocket of his coat—I mentioned it to the charge-taker, Mr. Vorley—I went out into the street—the prisoner came to the door—I beckoned him, and asked him if he had not got a letter that did not belong to him—he said he had not—I asked him a second time, and he then said he had not—I then asked him to let me look in his breast coat pocket—upon this he pulled out some letters himself, amongst them was one which did not belong to his walk—it was directed to “Mrs. Shalor, 45, Arthur-street, Chelsea”—I told him he had no business with it, and it did not belong to him—I felt money in it.

Cross-examined by Mr. CHAMBERS. Q. What is your age? A. Twenty-five—I do not know how old the prisoner is—I have known him two months, or rather more—I do not know how long he has been in the office—he came to that district two months ago—I have been in the office seven years, and went to that district six years and a half ago—I owe the prisoner 2s. or 3s.—I had borrowed it of him—there are thirteen letter-carriers,

who meet to sort their letters, and to receive them there—they sit at a table or bench to sort them—the letters are thrown out of the bags before them, and they begin sorting, if they have time to do it—there were thirteen carriers there—I do not know that they were all sorting letters—there were about the usual complement of letters that morning—the prisoner pulled out about five letters from his pocket, besides the one that had the half-sovereign in it—when I sort letters I place them before me—it has been the case that letters have been mis-sorted, and taken by a postman into a wrong district—it does not frequently happen that a man takes a letter that does not belong to him, and brings it back—letters have not been mis-sorted when the directions have been proper—I have not known a postman mis-sort letters—such a thing might occur, but I have no recollection of such an instance—I had no money letters that morning—the charge-taker takes account of the letters given to the postmen—he does not keep an account of the money letters—when we have got the letters all sorted we go out with them for delivery—we do not carry them in our pockets, we have a bag to carry them in—the charge-taker took away the money letter that the prisoner had in his pocket—I do not know that any body took the other letters from him—he was not taken up for three or four hours.

ANDREW VORLEY. I am charge-taker of the Chelsea division of the Post-office. On the 19th of May I received a communication from Blackall, and I observed the prisoner to leave the office shortly after—I then went out, and saw him in the street—I believe he had just left Blackall—I said, “Reed, I think you have a letter in your possession which don't belong to you”—he said he had not—I said he had, and he had better give it up to me, and he took the letter out of his breast-pocket—this is it—(*looking at one*)—I only saw this one—I looked at the direction, and also at the hour stamped on it—I said, “Reed, how could you think of taking a letter that did not belong to you?”—he said if I would not report him he would not do it again—I wrote to the Post-office, and he was taken that day, but not at that time—my impression was, that I could not act in this case without instructions—this letter was not within his delivery—it might have come into his possession in sorting.

Cross-examined. Q. Is it your business to superintend the sorting? A. I take account of all the letters that come down to the Chelsea division—this letter ought to have been given up to me, to transfer it to the Brompton delivery, to which it belongs—it was a mis-sorted letter, but being directed “Chelsea,” it came down in the Chelsea bag—it ought to have gone in the Brompton delivery, being No. 45, Arthur-street, and ought to have come in the Brompton bag—two bags come down by the morning dispatch, the Brompton carriers take the Brompton, and the Chelsea carriers the Chelsea letters—there are seven carriers in the Brompton delivery, and six in the Chelsea—the prisoner was given into custody about two o'clock, when he returned to the office—he had been round, and made his morning's delivery.

MR. SHEPHERD. Q. Was it in consequence of the instructions you received from the Post-office in London that he was taken? A. Yes—the bags containing the Chelsea letters, and the Brompton letters come at the same time—they are placed for the different sorters to sort—the prisoner is a Chelsea sorter—part of Arthur-street is in the Brompton delivery and part in Chelsea—a letter for No. 45, Arthur-street, ought to be sent in

the Brompton bag, but if the sorter in London did not know that, he might send it in the Chelsea bag—a Chelsea sorter ought to have given this letter to me.

COURT. *Q.* Suppose he was not likely to see you for a quarter of an hour, would he not put it in his pocket, instead of keeping it in his hand? *A.* He might have done it, but he ought to have given it to me—I was there the whole of the morning.

JANE SHALOR. I live at No. 45, Arthur-street, Chelsea. I have a daughter in service at Cambridge—she sends me a little money from time to time—this letter is her writing—I received it from Mr. Peacock, the Post-office solicitor—it was sealed—I opened it at Bow-street—it contained a half-sovereign.

MR. PEACOCK. The name of the postmaster-general is Thomas William Earl of Litchfield.

NOT GUILTY.

1687. **THOMAS SMITH** was charged, on the Coroner's inquisition, with killing and slaying Emma Brooker.

JAMES DOLAN. I am an excise-officer, and live in Liverpool-road, Islington. On the 23rd of May I was looking out of my window between seven and eight o'clock in the evening—I saw two drays going along the Liverpool-road—I saw a child on a waste piece of ground adjoining the road—I saw it come and pass under the horse of the first dray—the horses were going very slowly—the child advanced a step or two, and then it turned to the right again towards the hind horse—the off wheel knocked it down and passed up the left side of it, on its garments—the horses continued in the same line of road in which they were going before—the dray did not swerve from its track—the driver was riding on the shaft or on the fore part of the dray—he was on the near side, which he ought to be on—the dray was on its proper side of the road—there was no person walking by the side of the horses, and no reins to the horses—I thought I stated before the Coroner that the driver was sitting on the shaft or the fore part of the dray, but I do not see in my deposition any thing about the shaft—it says “the front part of the dray” here—(*looking at the deposition*)—I thought I called out, but I am not certain whether I did or not, as I was very much frightened—I did not know the person who was sitting on the front of the dray.

Cross-examined by MR. PAYNE. *Q.* You did not go to the doctor? *A.* No—I know that draymen begin work at three or four o'clock in the morning sometimes.

JOHN HOWE. I am a painter. I was in the Liverpool-road, and saw two drays coming along—I saw a child in the road—it fell before it came to the wheel of the first dray—I did not see the wheel touch the child, and I do not think it ran over the child—the wheel did not occasion the child to fall—the shaft-horse did—I picked up the child, and took it to Mr. Cooper, the doctor—its face appeared grazed a little on the left temple—there was a little dent on the forehead—I did not see any blood on the child, but I got a little on my trousers—after the child had been to the doctor's I carried it home—I think it was dead when I picked it up—it was fifteen months old—I saw the prisoner when he came into the doctor's shop—I had not seen him before—he said he was very sorry, and when we got to the station-house I heard him say he was the driver—he was quite sober, and the dray stopped directly.

Cross-examined. Q. Did you observe whether the child was under the care of any person? A. No—when I took it up a little girl came to me, but I should not know her again.

CORNELIUS SAVORY (*police-constable N 160.*) On the 23rd of May I was in the Liverpool-road—I followed Howe to the doctor's, where the child was carried—the prisoner was there, and, after I had ascertained that the child was dead, I said, "I believe you are the driver"—he said, "I am"—I said I understood he was riding on the fore part of the dray—he said he was, and he did not see the child till the head was nearly under the wheel—I took him into custody—he was quite sober—he stated that he spoke to his horses, and they stopped instantly—there were no reins to the horses.

Cross-examined. Q. Did you observe whether any person had the care of this child? A. I did not—there is no footpath on that side of the road—there are cattle kept adjoining that piece of ground, the boards were down, and the children play there—a child would come through there suddenly, within about six yards of a carriage which was going by.

SUSANNAH ODELL. I am fourteen years old, and am the daughter of James Odell, a lamp-lighter. The little girl who was killed was Emma Brooker—she was fifteen months old—she could run about—on Saturday the 23rd of May, I saw her with her two sisters, about a quarter before eight o'clock, in the Liverpool-road—the eldest is about twelve, I think, and the other eight or nine—the child had hold of her youngest sister's hand, and I saw her let go her hand—I was at that time on the other side of the road—I saw Ann, the eldest sister, go to the other sister—she said she would go and tell her mother that she had let Emma run in the road—she was going to hit her—Emma then ran into the road, and a brewer's dray came up, which had two horses in it—they were going very slowly—it was on the left-hand side going towards London—I think Emma went in the road to pick up a piece of paper—she went before the first horse's head—she then came a little way in the road, then went to turn back, and the shaft-horse knocked her down with his fore leg—nothing else touched her—the wheel went up her clothes—I did not see any body on the dray—I do not think any thing touched her head—she was taken to Mr. Cooper—she squeaked once when she was on the ground, and curled herself up—the dray stopped then—I did not hear any body call out, or give any caution to the driver.

CAROLINE ODELL. I am mother of the last witness. I saw the two drays coming up—I saw the little child come across the path into the road—my baby and that were together—I saw it come across past the first horse, she then turned back to meet my baby again, and the shaft-horse struck her on the temple, and killed her—the wheel did not touch her at all—it went up the clothes—the child was dead before it went up the clothes—the driver was sitting on the left-hand side of the dray—I did not hear any body call out to him.

JAMES HOOPER. I am one of the cashiers of Messrs. Whitbread. The dray was theirs.

Cross-examined. Q. How long has the prisoner been in your service? A. Twenty-six years—he bore the character of a humane careful man.

MR. COOPER. I am a surgeon, and live in Mount-row, Liverpool-road. The child was brought to me about a quarter to eight o'clock—it was

quite dead—the left side of the temple was very much swollen, and the skull fractured—the death was occasioned by a concussion of the brain.

NOT GUILTY.

1688. ROBERT MITCHIE was indicted for burglariously breaking and entering the dwelling-house of Edward Gardner, about the hour of four in the night of the 30th of April, at St. Giles-in-the-fields, with intent to steal, and stealing therein, 1 pencil-case, value 2s. ; 8 studs, value 1*l*. ; 16 sovereigns, and 1 £5 note ; his property.

EDWARD GARDNER. I am a bottle-merchant, living in Great Wild-street, in the parish of St Giles-in-the-fields. The prisoner took a lodging in the back-room on the third floor of my house, on the 1st of April, in company with another lad rather less than himself—they continued there upwards of four weeks—they left early on Friday, the 1st of May, I cannot say the precise time—after they left, I went into my parlour about eight o'clock in the morning, and found a drawer of a chest had been broken open—it was locked again, and I cannot say in what way it had been broken open—Mrs. Gardner tried it first with her key—she could not open it—I tried it with mine, and could not open it, but in shaking it the lock dropped down—I missed from there a leather bag, containing sixteen sovereigns, a pocket-book containing a £5 note, and a pair of gold studs, and sundry papers, a silver pencil-case, and some silver coins, which I could not number exactly—the studs were gold with a turquoise stone in the centre—I had seen the leather bag, and the pocket-book last about eleven o'clock on the Thursday night, the 30th of April—I went to the prisoner's room about nine o'clock that morning, and discovered in the fire-place, covered with a towel, the pocket-book, and the leather bag which had contained the sovereigns—there were no sovereigns, or Bank-notes, or studs, but all the papers were in the pocket-book—they were not disturbed—I saw the prisoner in custody about a month afterwards—I had not seen him in the meantime—his companion was sentenced last Sessions—they both went by the name of Mitchie at my house—I have the silver pencil-case in my possession, which I had when the other prisoner was convicted—I am not sure that that had been in that drawer.

JAMES SUTHERLAND. I am Borough officer for Edinburgh, and live at Edinburgh. I apprehended the prisoner on Tuesday the 12th of May, at Roastan, a small village eight miles from Edinburgh—I charged him with robbing Mr. Gardner, of Great Wild-street, Lincoln's-inn-fields, London—on commencing to search him I saw him take from his pocket a gold stud, which he handed to my assistant, who handed it to me immediately—I did not tell him it would be better for him if he would confess what he had done, or worse if he did not—I asked him how he committed the robbery—he said the boy who lodged along with him, of the name of Gilbert, stole the key of the cellar—he said he had lived at Mr. Gardner's, in London—he said he had observed Mr. Gardner putting money into a drawer of a chest of drawers, in the back-parlour, and they both agreed to break open that drawer, and carry off the property, and that Gilbert stole the key of the cellar, underneath Mr. Gardner's shop—they entered the cellar, and there is a hatchway from the cellar to the shop, and that he held Gilbert on his shoulder up the hatchway to the shop, and that he himself had considerable difficulty in getting up ; that they lighted the candle in the shop from lucifer-matches, which they had procured, looked round the

shop, and found a screw-driver, and forced a drawer, in a chest of drawers, in the back-parlour, and took from it fifteen sovereigns, two gold studs, a dark coloured leather pocket-book, containing a 5*l*. Bank of England note; and that he got for his share six sovereigns, the 5*l*. Bank of England note, and the two gold studs; that they placed the pocket-book in the fire-place, came out of the room, locked the door, and pushed the key underneath the door—I only got one stud from him—he said he had lost the other—another gold stud was delivered to me by Gilbert's father—they are both here—the prisoner is a Scotch lad—I carried him the same night before the Magistrate, he was committed, and detained till an officer came from Bow-street for him—this is the stud I received from my assistant.

Prisoner. Q. Where was I? A. Standing in a garden in front of the house, belonging to the family where you lodged—you neither ran away nor came forward—I did not say, "Well, Bob, I want you in Edinburgh"—my assistant asked for the studs, and you gave this to him—I stopped on the road for the purpose of feeding the horse, and giving you refreshment—I did not search you after that—we had a quartern of spirits among three of us—it was a very wet night, and rained two hours and a half, and we were out the whole time—I did not say you would be likely to get away, if you told all about it—I said that Gilbert was found, but not that you was to be a witness—you said that Gilbert gave you a £5 note, and six sovereigns, in your room at Mr. Gardner's house—you did not say it was in Birmingham; you said you lost Gilbert in Birmingham; that you went to the theatre, and Gilbert never came to his lodging; that when you left Mr. Gardner's house, you walked in London streets all night, and in the morning went by the Birmingham Railroad.

ALEXANDER KERR (*police-constable F 12.*) I live in Long-acre. On the 3rd of June, the prisoner was delivered into my custody, at the Calton-hill gaol, Edinburgh—I brought him to London, I told him it was for robbing Mr. Gardner, of Great Wild-street—I made him no promise or threat he did not deny it at all—I asked him if it was all true that was alleged against him—he said Gilbert was the worst of the two, and that he had only received six sovereigns of the money, and two gold studs—we arrived in London about half-past five o'clock, on Friday, the 5th of June—I brought the studs from Edinburgh, and handed them over to Sutherland—I received them from Mr. Dymond, the public prosecutor.

Prisoner. Q. What day of the month was it you saw me? A. Tuesday, the 2nd of June—I put you on board the steamer—I do not remember saying on board, "Do you mean to deny those papers I have in my pocket?"—I did not say, "Perhaps I would make you tell me something before we get to London"—I kept the handcuffs on you all the time, excepting while you were at meals—I put you down in the hold—you slept on two sails, as you were very sulky—I kept the handcuffs on you all night—I said I would have you properly secured all the way, when I found you were so sulky—I attended you the whole day on the deck, and at your meals—there was a ladder fastened over the hold.

MR. GARDNER. This stud is mine—I bought it in the Palais Royale, at Paris, three or four years ago, and have been in the habit of using it occasionally—this was in my pocket-book—the house is my dwelling-house—I occupy it, and sleep there.

Prisoner's Defence. On the 1st of May, about half-past twelve o'clock,

I went into the house—a women let me in—I went into my room, and Gilbert told me that he had got some money from Edinburgh, from a person he had written to several times, that he had had a cheque on his father's banker's, and he had got the money—I said, "That will do finely"—he said, "*Bob*, we will go away"—I said, "Why not stop here, we will be better here"—he said his father and mother would be angry—he said, "Come and take a walk at any rate"—we went out, and walked till four o'clock, and met a captain of a ship, at the Tower—he spoke to Gilbert—we went into a public-house—he gave the captain some drink—I asked Gilbert how much he had got—he said, 20*l.*—he gave the captain a sovereign, there was an officer, and he gave him something, and then he said he would go by the Birmingham Railway—we went, and got to Birmingham by eleven o'clock—he was going out—I asked, where—he said, "To the billiard table"—I stopped in the house till he came back, about six o'clock—he gave me six sovereigns, and said they would pay my passage to Edinburgh—I said, "I think I will go to the theatre"—Gilbert was not well, and would not go—when I came back I saw a letter written.—"*Dear Bob*—I am sorry to inform you I have broken into Mr. Gardner's shop, and stolen the key of the cellar, and got up and found a chisel, and I burned it, as I was afraid." I then went to bed, and in the morning I thought I would go to Liverpool, thinking he would be there before me—I told the person to be sure and send him if he came in—I went to Liverpool, and watched till one o'clock at the railway, to see if he came—he did not come—I went to the boat, and went down to Glasgow, and stopped there all Sunday, and the next morning I went away to Edinburgh, and went to the house—they asked where I came from, I told them—I slept in the house all night, and remained there two nights—I heard one night that there was search going to be made after me, as a partaker in the robbery, and that Gilbert was taken—I stopped about five days, and then Sutherland came and said, "*Bob*, you are wanted in Edinburgh," and he asked if I had any property—I said, "No"—he said I must go to Edinburgh—they asked about the robbery—I told what I knew about it—Sutherland said, they wanted to make me a witness against Gilbert, and gave me two glasses of spirits—then they took me to gaol—I was there three weeks—an officer took me on board the ship, and told all the people what I was there for, and said he would make me tell him something—he said, did I mean to deny the papers that he had in his pocket?—I said, "Yes," I did not know what they were.

GUILTY. Aged 17.—Of stealing in the } Transported for Ten Years.
dwelling-house above the value of 5*l.* } See *Seventh Session*, p. 51.

Fifth Jury, before Mr. Sergeant Arabin.

1689. WILLIAM SHARRINGTON was indicted for stealing, on the 23rd of May, 1 pocket-book, value 1*s.*; 1 pencil-case, value 4*d.*; 1 knife, value 1*s.*; 1 pair of scissors, value 1*s.*; 1 cork-screw, value 6*d.*; and 1 pair of compasses, value 6*d.*; the goods of Edwin Protheroe, from his person.

EDWIN PROTHEROE. I live at Hill-house, Newnham, in Gloucestershire. I was in town on the 27th of May—I had a pocket-book in my pocket, containing the articles stated—it was safe between two and three o'clock, when I was in the lower part of Regent-street, I then went

round to Bond-street, and missed it about three o'clock—it was brought to me the same evening by an officer—this is it—(*looking at it*)—it has some of my cards in it, and a great many memorandums in my own writing.

Cross-examined by MR. PAYNE. Q. Are you sure you had it that day? A. Quite—I took a 5*l.* note out of it at Howel's and James's shop, in Regent-street, and remember replacing it in my pocket—all the instruments were in their place at that time—I am sure it could not have dropped out of my pocket.

WILLIAM HORSFORD. I am an officer of the Mendicity Society. On the 27th of May, I saw the prisoner in company with three others—I watched them—I saw them attempt to pick different pockets, both ladies and gentlemen—I did not know him before—after having watched nearly an hour, I sent for assistance to take them for attempting to pick pockets—I searched the prisoner at Vine-street station-house, and in his right-hand pocket I found the pencil-case, compasses, and knife—I said, “Whose are these?”—he said, “My own, I bought them yesterday”—I made further search, and found the pocket-book in his coat pocket—he said he bought that yesterday—I then found four cards in the name of “Protheroe,” and then I went and asked him if he knew the name in the book—he said, “No,” he had had it given him.

Cross-examined. Q. Did you take the others into custody? A. Yes, they were remanded and discharged—I saw the three persons—they all tried the pockets—there were six or seven people present at the station-house—if I saw a person commit a robbery I should take him.

GUILTY. Aged 29.—Confined Six Months.

1690. WILLIAM JONES and FRANCIS BIRCH were indicted for stealing, on the 26th of May, 1 sovereign, 2 half-sovereigns, 12 half-crowns, 2 shillings, and 2 sixpences, the monies of William Wheeler, from his person.

WILLIAM WHEELER. I am a labourer, and live in Fox-street, Bethnal-green. On Tuesday the 26th of May, I had been to my club, at the White Swan public-house, Whitechapel, and received 12*l.* 4*s.* 4*d.* in sovereigns and half-sovereigns, and a good many half-crowns—I was going along Brick-lane at twelve o'clock at night—I was a little the worse for liquor—I got into conversation with the two prisoners somehow or other—I never saw them before—they said they would see me home—I asked if they would have any thing to drink, to get rid of them—I went to a public-house and treated them with a drop of gin—I went on to the corner of Gibraltar Walk—I do not know whether I fell down or was knocked down, nor whether they were with me at that time—I know I was down when the policeman came up—I was hurt—I got a kick in the loins.

Cross-examined by MR. PAYNE. Q. How many public-houses did you go into? A. Two; my club was one—I cannot say whether I spent a part of my money—I had got 12*l.* and more when I left the house—the prisoners got into conversation with me—I did not want conversation with them, I wanted to get rid of them—I believe I got the blow from a kick.

THOMAS DAVIS. I live with Mr. Day, in Bethnal-green-road. On the 26th of May, I was with Chamberlain down Church-street, Bethnal-green,

and saw Wheeler lying on the step of a door—he appeared drunk—I saw Birch come up—he looked at the old man (the prosecutor) and said, “Come old man, get up”—he lifted him up, put him against the shutters, and the money rolled about—Birch said, “Have you lost any?” and looked about on the stones for his money—he did not find any then—he caught hold of the old man’s arm, and led him along, and when they got about two steps, Jones came up striking a Congreve light—he went to the side of Birch, and Birch said, “He has got plenty of money under his other flap”—then Jones went and caught hold of his other arm, and in going past a turning, Jones dropped some money, which sounded like silver—Birch said, “Is that yours?”—Jones said, “Yes,” picked it up, and put it into his pocket—then they walked up as far as Brick-lane, opposite a public-house—Birch told Jones to get some gin—they asked the old man for some money—he said, “No”—they went in together—then they came out and ran up Church-street—I and Chamberlain hallooed out, “Old fellows, we will *split*,” and when we got to the policeman we told him of it.

Cross-examined by MR. PHILLIPS. Q. What is *splitting*? A. I hallooed out to frighten them—I meant to tell of them—I have never been in these things before—I had been to Drury-lane with some work for my master—I did not go out until half-past eight o’clock—I make deal tables—I had not been home—I was out with goods—I had not deal tables with me then—I did not see Birch take any money.

Cross-examined by MR. PAYNE. Q. All you saw was, that Jones dropped some money and picked it up again? A. Yes, I did not see any one take any money from the prosecutor—I do not know where I learnt the word *split*—I am seventeen years old—I had taken three tables to Drury-lane that evening—I got there about half-past ten o’clock—I carried two on my shoulder, and the other boy one—it was to a broker’s shop—I did not get home till ten minutes to two o’clock, after I had been to the station-house—we stood peeping into the public-house that the prisoners went into—it was Mr. Cross’s house, and I believe Mr. Cross served them—I saw one of them with a glass in his hand, going to drink.

JAMES CHAMBERLAIN. I work with Davis—I recollect that night being in Church-street with him, and seeing the prosecutor lying on a step in Church-street—Birch came, picked him up, and asked him if he had let any money fall—then he looked on the ground, and could not find any—Jones came up and struck a Congreve light—then they got hold one of each of the prosecutor’s arms, and some of the old man’s money fell—it was silver—I do not know how much—Birch said, “Whose is this?”—Jones said, “Mine”—he picked it up and put it into his pocket.

Cross-examined by MR. PAYNE. Q. Where had you been? A. To take out my master’s work—we had been to a broker’s shop in Drury-lane with tables—I carried one—it was about twelve o’clock when we saw the prisoners—I live at my father’s, but I was going then to my master’s.

THOMAS SMALEY (*police-constable H 74.*) I was on duty—I first saw these two boys—they gave me information—I then saw the prosecutor going up Bethnal-green-road, and the two prisoners came running after him—the prosecutor turned the corner of Gibraltar-walk, and the prisoners followed him—I went and found the prosecutor lying on his back, and the prisoners leaning over him—Jones was on his left-side, and had his hand against his waistcoat pocket—Birch was on the other side, and had hold of his breast, but before I could take him he had loosed his hold—I stepped

up and collared them both—I heard the jingling of silver from Jones—my brother officer came up, and I turned Birch over to him—I challenged Jones with robbing the old man—he said, “No, I have not”—I said, “What money have you got?”—he said, “Eighteen-pence tied in a handkerchief, and one penny”—I asked if that was all—he said, “Yes”—I said, “Show me the 1s. 6d.”—he pulled out his handkerchief, and he had 1s. 6d. in it—I said, “Show me the penny,” and he pulled it out of his waistcoat pocket—I said, “I consider you have got more”—I saw his hand was closed—I wrenched it open, and found in it a shilling—I asked him who that belonged to—he made no answer—I then shook the thigh of his trousers, and a half-crown dropped down—I found two more half-crowns slipping down, and caught them at the bottom—I took him a little further, and two more dropped—he had two more in his pocket, and at the station-house I found one more and three shillings—this small coin (*producing one*) dropped from him, which he said was a sovereign, and I believed it was at the time—I kept it in my hand, and at the station-house I found it was copper—he then said it was a farthing—at the station-house he said he had got another penny—Birch stated that he had got two shillings and three-halfpence on him, which I found was correct.

Cross-examined by MR. PHILLIPS. Q. Do you mean that you saw Birch touch the old man at all? *A.* Yes, I stated so before the Magistrate, and it was read out to me in my deposition.

JONES*—GUILTY of Stealing, but not from the person. Aged 19.—Transported for Seven Years.

BIRCH—NOT GUILTY.

1691. **CHARLES WATSON** was indicted for stealing, on the 8th of June, 1 necklace, value 5s., the goods of William Hawtin, from the person of Elizabeth Hawtin the younger.

ELIZABETH HAWTIN. I am nine years old—I go to church, and know the necessity of speaking the truth. On the 8th of June, I was in a street near Finsbury-square, drawing a chaise, with a little boy and girl in it—I had a necklace on—I saw the prisoner—he came and tied a string round my waist, and tied me to the chaise—I thought he was at play with me—he then took my necklace off and ran away—he was taken directly.

GEORGE YOUNG. I live in Finsbury Market. One of the neighbours gave an alarm, I ran out and pursued the prisoner about one hundred yards—I took him—I cannot tell what became of the necklace—it is lost altogether.

ELIZABETH HAWTIN. I am the wife of William Hawtin. The witness is my daughter—I sent her out with a coral necklace on of four rows of beads—it is quite lost.

GUILTY.* Aged 15.—Transported for Ten Years.

1692. **MICHAEL COLLINS** was indicted for stealing, on the 6th of June, 1 brush, value 1s. 6d., the goods of Joseph Cockerton.

JAMES BRADLEY (*police-constable B 134.*) On the 6th of June I was coming from Paradise-row, Chelsea, and saw the prisoner with something under his jacket—I took him, and found it was this brush.

JOSEPH COCKERTON. I keep the Royal Hospital public-house at Chelsea. This brush is mine, and was taken out of my parlour window—the

prisoner's father rented a house of me twelve months ago, but is now dead—his mother married again and turned him out.

Prisoner's Defence. The window was open—I saw the brush and took it.

GUILTY. Aged 14.—*Recommended to mercy by the Jury.*—Confined One Month.—Last Week solitary.

1693. WILLIAM LANE was indicted for stealing, on the 11th of June, 1 wooden board, value 9d., the goods of Thomas Cubitt.

JOHN LADDER. I am employed by Mr. Thomas Cubitt to watch the Belgrave-road. On the 11th of June I was sent for and found the prisoner had been stopped with this board, which is my master's—the prisoner did not work for my master, but I have seen him about.

CHARLES YOUNG. I saw the prisoner take the board from the sewer—he put it under his arm and walked away with it.

JOHN JEFFRIES. I saw the prisoner going down the road with the board on his shoulder—I overtook him at the Monster public-house near the wooden bridge—it was about half-past one o'clock.

Prisoner. I admit picking up the board, but not with an intention of stealing—I thought it fell from some rubbish—I did not take it from the sewer, but from the bank.

NOT GUILTY.

OLD COURT.—*Monday, June 22nd, 1840.*

Third Jury, before Mr. Sergeant Arabin.

1694. ELIZA M'CARTHY was indicted for stealing, on the 9th of June, 1 gown, value 10s.; 2 petticoats, value 4s.; 5 handkerchiefs, value 1l.; 1 pair of shoes, value 2s.; 1 pair of stockings, value 9d.; 1 shift, value 3s.; and 1 apron, value 6d.; the goods of the President, Vice-President, and Governors of the Refuge for the Destitute.

ANNA MARIA BEEVES. I am one of the Matrons of the Refuge for the Destitute. The prisoner was an inmate there under me, and had been there thirteen or fourteen months—on the 9th of June I missed her between five and six o'clock in the evening, and on examination I missed the various articles stated in the indictment—five of them have been found since—I have looked at them before—they belong to the various customers, and we must make them good.

WILLIAM COOK. I apprehended the prisoner on Friday, the 13th of June, in Maidenhead-court, Wheeler-street, Spitalfields, dressed in these articles—I have the Act of Parliament incorporating the Society.

GUILTY. Aged 17.—Transported for Seven Years.

1695. ANN JAMESON was indicted for stealing, on the 10th of June, 6 yards of silk, value 1l. 13s. 6d.; 10 handkerchiefs, value 1l.; 20 yards of ribbon, value 5l.; 9 yards of cambric, value 11s.; and 43 yards of muslin, value 4l.; the goods of Robert Sharland and others.

WILLIAM EDGER. I am in the employ of Robert Sharland and others, linen-draper, in Bishopsgate-street. On the 9th of June the goods stated were sold to Messrs. Smith, of Bedford—they were directed to be first sent to a house in the City to be enclosed, and from there to be sent to No. 3, Plummer's-row—the porter was sent with them.

JOSEPH IRISIN. I am porter to the prosecutors. I saw the articles packed up on the 9th of June—I went with the parcel to Messrs. Waylock to be enclosed—they directed me to take it to Mrs. Terry, 3, Plummer's-row, City-road, for the purpose of being sent to Bedford—I could not find Plummer's-row, but went to 3, Plummer's-place—I saw the prisoner there and inquired for Mrs. Terry—she said, "I am Mrs. Terry"—I said, "I have got a parcel for Messrs. Smith of Bedford"—she said, "It is all right, I am Mrs. Terry"—I left the parcel, confiding in the truth of her representations—about five minutes after I found out that I had left the parcel at the wrong place—I directly went back to the same house and knocked at the door, but could not get admittance—I remained about the house till six o'clock (it was about eleven o'clock when I first went)—I got a police-sergeant to be with me—I afterwards saw the parcel in his possession—it contained the same things I had seen packed up—these are them—(*looking at them.*)

ANN JAMESON. I am sister-in-law to the prisoner—she lives at No. 3, Plummer's-place. On the 9th of June I was in Bartholomew's Hospital—the prisoner brought me a parcel there tied up, and said it contained clean clothes for her to work on—the police-sergeant afterwards came, and I gave the same parcel to him.

MARY TELFER. I am married—I knew the prisoner about twelve months ago—she took a little house in Draper's-buildings, where I lived then—I now live in Old-street—she came to me on Wednesday evening, very tipsy, and said she had got some things from the tally-shop, and was afraid to take them home, as her landlord was going to take her goods—I said I would mind them for her—she said she would come for them on Friday afternoon—I kept them till then, when the policeman came and took them and took me in charge.

JAMES CLARKE (*police-constable N 15.*) I found part of the property at Bartholomew's Hospital, and part at Telfer's—I took the prisoner into custody—she denied all knowledge of the parcel or the porter.

Prisoner's Defence. I was very tipsy, and cannot recollect any thing about it; I was tipsy when the man left it; a man frequently calls at the house for things which are left there to go into the country.

GUILTY.* Aged 32.—Transported for Seven Years.

Before Mr. Baron Parke.

1696. **RICHARD GOULD**, *alias Arthur Nicholson*, was indicted for burglariously breaking and entering the dwelling-house of John Templeman, at St. Mary, Islington, about the hour of eleven in the night of the 16th of March, with intent to steal, and stealing therein, 1 half-sovereign, 20 half-crowns, 57 shillings, and 8 sixpences, his monies. Three other Counts, laying the property in the Ordinary of the Diocese, the Archbishop of Canterbury, and the Lord Bishop of London.

Messrs. Bodkin and Ballantine conducted the Prosecution.

MARY THORNTON. I live in Pocock's-fields, Islington. I know the residence of the late Mr. John Templeman—that is also in Pocock's-fields, and in the parish of Islington—I was in the habit of doing work for Mr. Templeman about the time in question. On Tuesday morning, the 17th of March, about half-past eight o'clock, I received some information from my daughter, in consequence of which I went to Mr. Templeman's house—I found the door closed and fastened—I went to the parlour window after

knocking at the door, as I could not get in—I found the window open about a quarter of a yard—I could see nearly all over the room as I stood at that window, but not quite—it was usually fastened inside by a little button just below the glass which was broken—the glass was broken at the side where the button was—the window opened on hinges—I could put my three fingers into the hole—by doing so the button could very easily be reached—when I left it, there was a piece of paper over the hole, and a nail to fasten the paper, and a piece of glass in it likewise—it was a broken window mended with a piece of paper and a nail to keep the broken glass in—the nail was at the side—that was the state of the window when I had observed it before that morning—I did not notice which was gone in the morning, the paper or the glass, one of the two was—I did not look for the glass—after looking at the parlour window, I went round to the bed-room window, it was shut—I could see between the two curtains all over the room—the bed-room is on the ground floor—there are only two rooms in the house—on looking through the bed-room window, I saw the body of Mr. Templeman lying on the floor—he appeared quite dead—he was undressed, in his night-shirt.

Q. What aged man was he? *A.* They put him down as seventy-two on his coffin—he told me he was four years older than me—I am sixty—I had seen him the evening before he was murdered, about six o'clock, within a very few minutes—I think I had not cleaned his place for a fortnight before—I had not noticed the window the day before—on the Sunday morning I observed that it was broken, and mended as I have stated—I know he had a little square box—when I saw it he had silver money in it—I saw it on the Monday evening that he was murdered, about ten minutes before six, when I left him—it was on the table—he opened it to show me the money—I think there was about 3*l.* or 4*l.* in it, or there might be 5*l.*—it made a great show—it looked all in silver—I saw no other coins—I could not see in what coins it was—he said, “I have been to receive my rent this morning, and they have paid me all in silver,” and pointed it out—after seeing the body of Mr. Templeman I went home—I had received instructions from him, in case any thing happened—the moment Caprani, my son-in-law, came home I mentioned it to him; but I mentioned it to my landlady almost directly I found it out myself—when Caprani came home, in consequence of the directions I had received, I sent him off to Mr. Templeman, jun.—I had been directed by the old gentleman, if any thing should happen to him, to send to young Mr. Templeman.

Prisoner. Q. You were very often in the habit of being with Mr. Templeman, and cleaning in his house? *A.* Yes—I have seen you serve him with beer while you were at the Castle public-house—I cannot say how long that is ago—the last time I saw the window was the Sunday before the murder—I have seen you stop to converse with Mr. Templeman.

FRANCIS CAPRANI. I am a watchman at Sadler's-wells Theatre, and am son-in-law of Mrs. Thornton. I used occasionally to work for Mr. Templeman, in his garden—I saw him on Monday, the 16th of March, about ten minutes or a quarter to six o'clock in the afternoon—that was after Mrs. Thornton was there—I saw him at his own house—my mother-in-law brought me a message that he wanted to see me, and I went over—he said, “Now I will settle with you”—he paid me 7*s.* which he owed me—he took it from a little mahogany box which stood on the table—there were a quantity of half-crowns, shillings, and sixpences in it—I was there

about ten minutes—he left the box open on the table, when I went away—there appeared nearly between 3*l.* and 4*l.* in the box—there might be more or less—I saw nothing but silver—my duty, as a watchman, keeps me at the theatre all night—I leave the theatre at eight o'clock of a morning, but my partner did not come till about ten minutes to nine o'clock, on the 17th, and I did not leave that morning till then—on this being discovered, I was taken into custody, and detained till next morning, when the Magistrate discharged me—I have resided there ever since.

Prisoner. Q. How long had you been at work for Mr. Templeman? A. I was at work for him about a fortnight or three weeks before—I finished the piece of ground on Monday, the 16th of March—I know Jarvis's cottage.

Q. Did you ever, while you were at work on that ground, see me in, at, or near Mr. Templeman's or Jarvis's cottage? A. Not that day—I did not see you—I never noticed you in the garden—you could go there without passing me, but not in the ordinary path, without passing me, when I was there—you might pass without my noticing you—I did not see you—I should not think you could have passed without my seeing you when I was working in the garden.

JANE LOVETT. I live at No. 2, Northern's-buildings, Somers-town—I am married—I held my house of Mr. Templeman. On Monday, the 16th of March, I paid 3*l.* to Mr. Templeman, on account of my rent—it was from a quarter to ten minutes to twelve o'clock in the day—he came by appointment—I paid him five or six half-crowns, one half-sovereign, and the rest in shillings, and as near as I can say, six or seven sixpences—3*l.* was the sum I paid him.

HANNAH MORGAN. I am the wife of James Morgan, of Skinner-street, Somers-town. On Monday morning, the 16th of March, the late Mr. Templeman came to my house at half-past eleven o'clock—he went away, and returned again in a quarter of an hour—he sat for some time, and asked me to lend him 3*l.*—I lent him 3*l.*—it was fourteen half-crowns and twenty-five shillings—he returned me one shilling—he had 2*l.* 19*s.* from me—he left my house at half-past three o'clock, and went straight for his own house, which is about two miles from mine.

Prisoner. Q. What could occasion you to notice so particularly the coins you paid him? A. Because I counted it out into his hands—the fourteen half-crowns I had noticed from where I took them from—none of them were marked, to my knowledge.

Q. Have you never said they were? A. I have said no more than that I had a marked shilling in my possession, but whether I gave it him or not, I cannot say—he did not say he was going to pay any money away.

MR. BODKIN. Q. Have you, since you said that, looked for that marked shilling? A. I found it in my possession when I got home, and therefore I did not give it to Mr. Templeman.

Prisoner to JANE LOVETT. Q. I think you stated that Mr. Templeman told you he was going to pay some money away that day? A. He never said a sentence, nor did I ever say that he did say so to me—he never named it.

HENRY WRIGHT. On the 12th of March I was potman at the Duchess of Kent public-house in Devereux-street, Dover-road. I had known the prisoner about nine months at that time—I saw him on the 12th of March, about twenty minutes to eight o'clock in the evening, at the Duchess of

Kent—he came into the tap-room, called for half-a-pint of porter, and threw down a penny—he said he had got no more money—I brought him a pint of porter—I did not take any thing for it—I did not take up the penny—I then went out with my eight o'clock beer—I came back about half-past eight o'clock, and on my return saw the prisoner standing opposite the house—I came past him—he was talking to a person named Squires—I had some porter in my tray, and I, and Squires, and Gould, drank some porter together—it was some of the porter which was not taken by the customers—I pay my master for what beer I take out, and he keeps a check on me—after finishing the beer, Squires left us, and went home—I and the prisoner walked up the street—in going up the street, he said he had been very badly off, he was without money, he had been ill, and was getting worse—he said he knew an old man who had got money—I asked him how he knew the old gentleman had got money—he said he had bid 25*l.* for a cottage, and had *flushed* a 50*l.* note, and said if that was not enough, he had got more—I asked him where the old gentleman lived—he said it was no matter, it was not far from home—I knew the prisoner lived in Pocock's fields—I do not know that he lived there at that time—I knew it a week previously—I know Mr. Templeman's cottage—the prisoner said the money would be like a gift to him, as he well knew where it was, and could put his hand on it—he said he kept it in a drawer, and that there was more—he also said he was b—*pinched*, and he would be d—d if he would not have the money—he said he should like a *right one* along with him—I said, “A right one?”—he said, “Yes, a *right one*, or I could do it myself”—we then parted company—I went round with my porter at nine o'clock, and about half-past nine I met Squires.

Prisoner. Q. How long had you lodged with me at Allen's? A. Five or six months—you did not lodge there the whole time with me—you were away a fortnight, or it might be longer—in the course of that six months I never knew you to be out for any improper purpose—I have known you out till past twelve or one o'clock—I cannot say that I have known what you have been upon, perhaps you have been after a situation, and stopped at public-houses—I never saw a lantern lying about Allen's cottage during the six months I was there—it is the custom with potmen to treat one another when out of place.

Q. Suppose I had come to you, and said, “I have 5*d.* or 6*d.* in my pocket, I do not know how soon I shall want it, will you treat me with some beer?” would you have given it me, or expected me to pay for it? A. I should have given it to you—I cannot say that I have frequently denied having money, for the sake of getting beer for nothing—I recollect being at the Craven Arms public-house, at Paddington—I have no recollection how much money I had in my pocket then—I cannot recollect that I denied having any money then, when I had 1*l.* in my pocket, taken for an old debt—I do not live at the Duchess of Kent public-house now—I work at tailoring—I am looking after a situation—I have not been able to take one—I live upon my savings now, which I have put by—I once lived at the Hope and Anchor public-house—I left there, because I had a few words with my master—nothing occurred to my fellow-servant—I have never been in custody for felony—I was in custody, but never convicted—it was on suspicion of stealing a cash-box—after I was discharged I got a situation, where I formerly lived—I had opened a beer-shop before that, and failed, after I had had a service of nine years.

Q. Was I not generally in the habit of collecting my debts on a Sunday morning, while you lodged with me? **A.** Yes, you used to go out for whatever there was—you have told me you had got 4s. or 5s. owing to you at the cottages—I have had as little as 4s. or 5s. owing to me from customers—when I saw Squires, I asked him if you had said anything to him, he said, “No”—I told him what you had said, that you had been talking of committing a robbery—I did not tell Squires the whole that passed between you and me—I told him what you had said about intending to commit a robbery on an old man—I was never detected in the cellar of the City of London public-house, City-road—I never left my hat in the cellar.

MR. BODKIN. **Q.** How long is it since you left the Duchess of Kent public-house? **A.** Four weeks—since that I have been attending at Bow-street and other places, on this inquiry—I was not tried for stealing the cash-box—I was taken to Hatton-garden, and had a hearing—the Magistrate discharged me, and the person in whose service I had lived nine years took me again.

Prisoner. **Q.** Was that the house the cash-box was stolen from? **A.** No, close by.

JOHN RICHARD JOBSON. I am a print-colourer, and live at No. 7, Dorset-street, Spital-fields. In March last James Rogers lodged in the same house as me—on Friday, the 13th, the prisoner came there—I heard him inquiring for *Jem*—he did not say Rogers—(I did not know the prisoner before by the name of Gould—I have known his person for the last four or five years, in the capacity of pot-boy—I only knew him as *Dick* or *Richard*)—I went down stairs, and found him in the passage—I said, “Well, *Dick*, how do you get on?”—he said, Middling-like—he wanted to see *Jem* very particularly—I asked what he wanted to see *Jem* for—he said he wanted to borrow a *screw*—as far as reading goes, I consider that means a picklock-key—I have read that term in a published work—I asked him what he wanted a *screw* for—he stated to me that he was going to *serve* an old gentleman in a lonely cottage—the term “*serve*” specifies to commit a robbery—I told him he had better not do any thing of the kind, if he did he was sure to get transported—he said he might as well be transported for that, for if he was taken as a deserter, he should be sure to be transported—a fight then took place at the bottom of the street, and I and the prisoner went down to look at it—I knew the prisoner by being up at our place—I gave him shelter eight or nine nights, and lodging and victuals, as well as I could for a poor man—I have seen him in what they call an undress—he was in the 11th Light Dragoons, I believe—after the fight was over we returned back to my own door—*Jem* had not come then—I had not seen any thing of *Jem* at all—I said to the prisoner, “Good night”—he said, “You had better not go yet, for I want to see *Jem* very particularly”—I said, “What do you want to see *Jem* for?”—he said, “I want to borrow a *darkey*, it might be handy”—a *darkey* means a dark-lantern—I told him if he went over to the public-house (the Blue-coat-boy in Dorset-street) and waited a quarter of an hour, no doubt he would find *Jem* there—he said it was no use going to a public-house, for he had no money—I then bid him good night, but he said he was going to *serve* the old gentleman on Saturday night, and should go and see his aunt on Sunday, and if he did *serve* the old gentleman, he would call and let me know on the Sunday—it was about half-past seven o’clock when I first

entered into conversation with him, and I got into John-street, Spitalfields just as the clock struck eight.

Prisoner. Q. Now, Mr. Jobson, what work is this to which you allude, as having seen these words in? *A. Tom and Jerry*—I have seen it in two works—I have seen it in ———

Q. Have you never stated that it was in "Bell's Life in London" that you saw them? *A.* That was a misunderstanding altogether—you were in my company twenty or twenty-five minutes altogether—I said before that it might be about a quarter of an hour—I am speaking from the time of seeing you in the passage till I got to the public-house, but it was half-an-hour from the time I left my room—as I am lame, it would take me five or six minutes to walk to the public-house—I went to the Weavers' Arms public-house, Brown's-lane.

MR. BODKIN. Q. What did you go there for? *A.* To take a pint of beer—that was after I had been with him—I should say it is not further than from here to St. Sepulchre's church.

Prisoner. Q. You say there was a fight at the top of the street? *A.* At the bottom—seven or eight rounds were fought—none of this conversation took place while the fight was going on—the fight lasted six or seven minutes—they were no sooner up than they were down—I colour caricatures, or any thing I can to get my living—I have done some hundreds or thousands of religious prints, and through seeing you I have not got one to colour—my work has been stopped—I am not in the habit of dealing—I have been to fairs and races for pleasure—I never buy things there and bring them to London—I have been twice in custody, once for being drunk and disorderly, and once for being in company with a drunken man who gave me into custody for robbing him of a shilling—you were in my company then, and offered the man 5s. to abandon the charge; and after being there the man came and wanted the policeman to let me go, but he said the charge was booked—I should say your character was equally as good as mine at Spitalfields at that time, only you were a deserter at the time.

MR. BODKIN. Q. The charge of stealing a shilling was entered on the sheet, and you could not be liberated? *A.* Yes—I went in the morning to Worship-street, and was discharged without witnesses being called—I have worked for the last fourteen years for Mr. Marks and Mr. Fairburn.

JAMES ROGERS. I am an umbrella-maker, and live at No. 7, Dorset-street, Spitalfields—I have known the prisoner five or six years—I knew him when he first enlisted. On Friday night, the 13th of March, when I was coming home, the prisoner was between the door and the window, in Dorset-street, between eight and nine o'clock—the first word he said was, "*Jem*, you are just the *chap* I want to see"—I said, "What do you want to see me for?"—he said, "I want you to lend me two *screws* and a *darkey*"—I thought he meant two skeleton keys, but he did not say skeleton keys.

Q. Is that the slang term for skeleton keys? *A.* I do not know much about the slang terms myself—I told him he might as well ask me for a 500*l.* note as for such things as those—he said nothing more—I said, "I am sorry to see you as you are, but I have got no money, or else I would *stand* some beer"—he said he had no money—I asked my brother-in-law, who had been with me coming from Thames-street, to pay for a pot of beer—he said he had no money, but he went home to fetch some, and I

went with Gould to the public-house—we called for a pot of beer, and while we were drinking it my brother-in-law returned and paid for it—I parted with Gould about nine o'clock, or not so much.

Prisoner. Q. Before you came to give any evidence against me, had not you had some conversation with Jobson? *A.* None in the least—I now and then read the newspaper, but very seldom—if I heard any thing of the newspaper, it used to be more told me than reading it myself—it was in consequence of what I saw in the newspaper that I came to give evidence—it was stated in the newspaper that I was not yet in custody, and I thought, not having any crime against me, that the best way would be to make my appearance.

Q. That was the cause of your making out this tale? *A.* I believe it is truth what I have stated—I had heard the phrase *screws* before, as meaning skeleton keys, and *darkey* as meaning a dark-lantern.

Q. Do umbrella-makers generally keep such things? *A.* No; but I formerly kept an old-iron shop, and I suppose you thought I might have such things—you did not want to purchase them, but to borrow them—I could not say whether you were serious or joking—I passed it myself as a joke, but I cannot say what your intention was.

Q. If you had not seen your name mentioned in the newspaper, should you have thought of coming to give evidence? *A.* You are the last person in the world I should have come against, or thought of coming against, or seeing in the situation in which you are placed—I said I was sorry to see you as you were, because you seemed to be so poor, and when you were in the public-house you always had a shilling in your pocket—you told me you had no money—I believe you said so after I said I was sorry to see you as you were, but I will not be positive.

MR. BODKIN. Q. What was his general appearance? *A.* He was generally dressed in a plush waistcoat—he was not dressed so well as I had formerly seen him.

JOHN FRIMLEY. I am landlord of the Rainbow public-house, Liverpool-road, in the parish of St. Mary, Islington. I know Mr. Templeman's cottage—it is nearly half a mile from my house—I know the prisoner—I saw him at my house on Monday evening, the 16th of March—I first saw him about five o'clock—he was then in the tap-room—he was in the skittle-ground during the evening, but I was not there myself—I remember an altercation occurring in the tap-room about eleven o'clock—Gould was in the tap-room at that time—I cannot say whether he had continued at my house from five till eleven o'clock—he might have left and returned again—I saw him leave my house, about twenty minutes before twelve o'clock, in company with several others who were in the house at the time—the prisoner appeared sober then—I saw him again on the Tuesday about three o'clock in the afternoon—to the best of my recollection, he was there the whole afternoon—the last time I saw him was about seven o'clock—I had only seen him on one occasion between the time he came and seven o'clock—he had been drinking a portion of beer in the tap-room, and he afterwards went into the skittle-ground on that day.

Prisoner. Q. In the course of your experience as a publican, have you not frequently seen persons who prefer denying having money in their pocket to throwing it away foolishly in beer, if they can get it for nothing? *A.* I have sometimes seen people reluctant to pay for beer after they have drank it—I do not recollect taking any money of you on the Tuesday after-

noon—you were not more forward in paying for beer that day than on the Monday—what you have had at my place has been very little.

ROBERT PIZEY. I am a shoemaker, and live in Elder-walk, Islington—I was at the Rainbow on Monday evening, the 16th of March, in the skittle-ground along with King—I went there about six o'clock—King was there before me—the prisoner came in between seven and eight o'clock—he said he should like to have a game at skittles, but he had but $1\frac{1}{4}d.$, and if any one would lend him a $1d.$ he would make one of four for a pot of beer—a pot of beer comes to $5d.$ —if two persons lost a game, they would have to pay $2\frac{1}{2}d.$ each—Gould said the potman there would be answerable for a pint for him—Gould and I were partners, and we won—he had no occasion to pay any thing—when we came out of the tap-room after playing at skittles, it was about a quarter to twelve o'clock, as near as possible—I had lost one pint, but I was not the prisoner's partner then—I gave him $2\frac{1}{2}d.$ to play off, but that was not spent—he won the pot of the other man—on the whole, he was a winner, because he did not lose any thing—about eleven o'clock, before I left the house, I had occasion to go out for half-an-ounce of tobacco—the prisoner asked me to fetch him a rushlight, and gave me two halfpence to pay for it—I got one at the same shop I got the tobacco at—I returned with the rushlight and gave it to him—he put it into his pocket—he had a fustian coat on, similar to a shooting jacket, with an outside pocket—about a quarter to twelve o'clock, I left the house—I parted from him at the door of the house—I saw no more of him that night.

Prisoner. Q. How far is the shop where you bought the rushlight, from the Rainbow? **A.** I should say forty yards, not more—it was on Felix-terrace—you did not make any secret of it—I brought it back in the tap-room before all the rest.

Q. Don't you think, if I meant it for any secret purpose, I should have fetched it myself? **A.** I do not know; you are not the first man I have fetched a candle for.

ROBERT KING. I am a chimney-sweeper, and live at No. 8, Felix-street, Islington. I know the prisoner—I was in his company on Monday the 16th of March, at the Rainbow public-house, playing at skittles with him—he came in about half-past seven or eight o'clock into the skittle-ground—we continued playing till very near eleven o'clock—we then went into the tap-room, and had two pots of beer—I paid for it—I had lost it—when the prisoner first came into the ground, he said that he had only three halfpence in his pocket—I left the house about a quarter to twelve o'clock, with him—I did not see the prisoner pay for any thing while he was there—I did not see him pay for the rushlight—I did not see it brought in.

Prisoner. Q. After we left the house, how long did we stay talking outside the door? **A.** A very few minutes, not five minutes—we were not together five minutes after we came out of the house—I did not leave you there, because you went up towards the workhouse, up by Laycock's, towards Park-street.

COURT. Q. Did he go away by himself? **A.** Yes—he crossed over from the Rainbow on the workhouse side—he did not go before I left the Rainbow door—we bid one another good night, and parted; he crossed to the workhouse, and I had to go right facing down my street—no one was with him when he parted from me—he went towards Allen's cottage where he was living—he went the way that would lead there.

Prisoner. Q. Did you see any thing unusual in my manner? *A.* No—I did not see any thing in your possession at all.

MR. BALLANTINE. Q. Do you know Mr. Templeman's house? *A.* Yes; he went towards that way—it is near Allen's.

MARY ELIZABETH KING. I am wife of the last witness. On Monday, the 16th of March, I went to fetch my husband home from the Rainbow public-house—I found him in the tap-room—Gould was there—we all came out together about twenty minutes to twelve o'clock—I noticed something in the prisoner's pocket, it was long and it stuck out—we parted from the prisoner about three minutes after we got out of the house—I and my husband went home—I saw the prisoner go away, he went towards Mr. Templeman's—no one went along with him; he went alone—what I observed in the prisoner's pocket was larger than a rushlight; it appeared long—the coat pocket stuck out a good deal on one side.

Prisoner. Q. How long were you at the Rainbow? *A.* About a quarter of an hour—it wanted twenty minutes to twelve o'clock when we came out—the thing in your pocket was long, and apparently it was a bundle in one corner of your pocket—while I was in the Rainbow, I was against the door—I sat down—I was in company with some one—the room is divided into boxes—you sat against the fire-place.

Q. Have you the audacity to swear that you could see, in those few minutes, from one box to the other, what I had in my pocket? *A.* When you got up and turned yourself towards the fire-place was the time I saw it—I have never said I saw it sticking out of your pocket—I saw something in your pocket—I was subpoenaed this morning—I do not know why my evidence was not taken at the Police-office—I was at the office.

COURT. Q. Could you form any judgment what this was in his pocket? *A.* As well as I could see, it was a piece of wood, or something.

MR. BODKIN. Q. About what was the size of what you thought was the bundle? *A.* It was round—it was larger than that inkstand, or about the size of the bottle—I did not see any part of it, nor any part of what was like a piece of wood—I should say it was about a foot long—I was fetched as a witness this morning—I had not been told to be here to-morrow—I was examined on the last trial.

CHARLES ALLEN. I am a shoemaker, and live at Wilson's cottage, Pocock's-fields. I have lived there three years next Michaelmas—I have known the prisoner about a twelvemonth last March—on Sunday, the 15th of March, he slept at my house—he had been stopping there seven or eight days—he was out of employment at that time—he had lodged at our house several times, for short periods—he slept in a room with two of my young children, one about six, and the other four years old—he did not generally take his meals at our house—I do not know where he usually did, during the eight days—he got up between seven and nine o'clock on Monday, I think—I never saw him any more that day at all—I was awake when he came home in the night or on Tuesday morning—I cannot exactly say the time—it might be between twelve and three o'clock—the day was beginning to break when he came in—it must have been nearer three than twelve o'clock—my wife was also awake—the door of the house was left unfastened, for him to let himself in; that was the custom—I did not speak to him myself when he came in, but my wife said, "It is very late, Richard," or "early"—I am not confident which, and he said, "It is early"—nothing more passed then—he went to bed—I am confident he

was sober—he would not have to pass through my room to get to his—he would have to open my front door, and exactly at the same time as he opened the front door, he would open his own door—it was quite light, so that I saw him pass from one door to the other—the front door opens immediately opposite to where I was sleeping—he merely had to pass the corner of our room—he had to come into it—he got up next morning about the same time as the morning before, between seven and nine o'clock—when he came out of his bed-room, he came right across our room, and went out at the door leading to the wash-house—I and my wife were sitting at breakfast in the same room as we sleep in—there is a privy which you can go through the wash-house to go to, or there is a way round without going into the wash-house—you can get to it without coming through the house, by coming up the garden, and going round the house—the privy is in the same wall as the wash-house is—a person outside the house could get to it without having to get over any fence or wall—I have half an acre of garden, and the house stands in the centre—it is not enclosed in any particular way—part is fenced, and part not—you can get to the privy from the garden without coming into the house, or getting over any fence or wall—no stranger has a right to come into my garden—I am confident the prisoner went into the privy when he went into the wash-house, because I heard him lift up the latch of the door—I heard the latch of the privy door close, so I am confident he either opened or shut it, I cannot tell which—I do not recollect whether my wife went into the wash-house while he was there—I saw him come out of the place again—he had been there between twenty minutes and half-an-hour—he had on a pair of heavy nailed shoes, which I had made, and when he came out of the wash-house they were blacked, and shined—he frequently cleaned his shoes of a morning—he left the house immediately he came out of the wash-house—he passed through the house, bid us good morning, and went out—I saw him again between seven and eight o'clock that same evening at my house—I had been out to fetch a pint of porter for supper, and when I came home I found him sitting in my place—my wife was there with him—I had at that time heard of the murder of Mr. Templeman—my cottage is between 300 and 500 yards from Mr. Templeman's—when I came in, my wife was holding conversation with the prisoner respecting the murder—I sat down, and did not interfere with the conversation, till Richard turned round, and said, did not I suppose that Mr. Templeman had done it himself?—I said, “Richard, it is not very likely that after his hands were tied, and his head bound up, that he had committed suicide; it did not look feasible”—I do not remember that he made any reply to that—my wife still continued conversing with him—whilst I was sitting, having some supper, Richard said he should like something to eat, and he asked me if I would go and fetch him a slice of bacon, and a pot of beer, and some tobacco—I said, “Richard, why not fetch it yourself”—he said, “You know the reason why I do not wish to go out”—I knew no reason why he did not wish to go out, otherwise than there was an assault warrant out against him—I went and bought the bacon, beer, and tobacco for him—he gave me 1s. to pay for them—he did not take any more money out of his pocket—I noticed that he had a pair of new shoes on, and while I was looking at them, he said he had been over to his aunt's at Clapham, or somewhere in that neighbourhood, I cannot exactly be certain where, he had been very fortunate—he had called on his cousin who had a pair of shoes which fitted him,

and he had *jumped* into them, and he had called on his aunt, and she had given him some money—I had no more conversation with him—after I had fetched the beer, and bread and cheese he went to bed—I believe my wife and him had some conversation, but I do not recollect it distinctly—I did not pay much attention to his conversation—he slept with my two children that night as usual—when he went in, I fastened the door of his room, and said he should never come out any more—I said so to my wife, and I never intended him to come out again, and he never should, unless he did it by force—my suspicions were at that time excited, so much so I was determined he never should go out of my house—I was not at home when the officers searched the wash-house—I never recollect going to the place with the officer—he told me some money had been found there—I never placed any money there—I have placed things there—(*looking at a lantern*)—I know this lantern—it was my father's forty years ago—my father was a shoemaker, and was a constable many years at Wormley, in Hertfordshire—it came into my possession from him—I had used it about a year and a half ago, when I had occasion to go to see the pigs in the night—I was in this cottage when I used it—I am satisfied this is the same, because I had burned the horn at the time I used it last, when I used it to go to the pigs—I had not seen it after that to my knowledge—it was kept in a cupboard in the wash-house, or in a box, I am not certain which—it has been in both since I have been at the cottage—neither the cupboard or box were kept locked—the box was in the prisoner's bed-room, I believe, at that time.

Prisoner. Q. Have you never said it was two years ago since you saw the lantern? A. I never swore so—I do not recollect saying so—I said I had it to go and look at the sow—the pig-stye and the house are all attached together—it is all one brick wall—the privy and pig-stye is all one building, and all attached, but you must go out of the house to go to the pig-stye—I have been frequently in the habit of putting different lumber and garden tools over the wash-house ceiling, but for the last month or two, I had not had power to lift my hand so high—I did not keep my garden tools there last winter—I could not put them there—I did not cause any body else to put them there—after I used the lantern I placed it in the cupboard—I am confident I put it there, but after using it for the pigs I used it in the wash-house, and in the course of that week I used it four or five times, and then my wife put it either in the cupboard or the box—she can speak more clearly where it was—you washed every morning, but did not clean your shoes.

Q. Have you not been often troubled by persons crossing your garden, both after you have been in bed, and in the day time? A. Sometimes there have been people gone across my garden, and I have noticed it, but I was not troubled with any body, because I did not see them—I have had occasion to go out to stop them from crossing the garden, but I do not term that trouble—I only did it as a friendly action—I have not been frequently robbed of little things by my neighbours' children—I have lost things twice since I have been there, but I always found them again—I have used the lantern so often I can almost swear it is my father's lantern—I never carried one when I was in the police—I used only to lock up prisoners that were in the watch-house when I helped my father.

MR BODKIN. Q. Since that lantern has been found have you looked for your own? A. Yes, every where, and can find none.

MARY ANN ALLEN. I am the wife of Charles Allen. The prisoner slept at our house seven or eight nights before this occurred—I have known him for twelve months—on Saturday, the 14th, he slept there—on Sunday, the 15th, he complained of being ill, and he went to bed in the afternoon—when he got up he asked for a little tea, and he gave my little boy 6d. to fetch him some tea and sugar—he had some bread and butter with me, and with the tea and sugar, that came to 6d.—the 6d. was all expended—he said he had taken 1s. since he had been out—he slept at our house on Sunday night, and did not get up on Monday morning till half-past eight o'clock, when Mrs. Jarvis called him up—she is the wife of a man living in a cottage in the neighbourhood—she had called at my house for him three or four times—I do not know where he generally breakfasted—he went out about a quarter of an hour after she called him—I did not see him after at all that day—I was in bed very early that night, by eight o'clock—I slept till the prisoner came home, and awoke me—I had an infant weaning—I expected him home early, and had left my door ajar, as I thought I should awake my baby, by getting out of bed—he pushed the door, which awoke me—it was two o'clock, as near as I can guess—I did not hear the clock strike about that time, but he awoke me and my baby, and I did not go to sleep any more—I had to get up with my child—it was day-light very soon after he came in—I did not hear any clock strike soon after he came in—I judged the time by the light—when he came in I said, "It is morning, Richard," and he said, "It is early"—he then went into his own room—I got up next morning about six o'clock—I had my fire lighted before six o'clock—he did not get up till half-past seven o'clock—when he got up he went through our room into the wash-house—we live in the same room as we sleep in—a door opens out of the wash-house into the privy—I heard him open that door into the privy—I am quite sure I heard the noise—I went into the wash-house about ten minutes or a quarter of an hour after, and found him standing by a table, doing something to his trowsers—I did not pay attention whether the door into the privy was open or shut—I came out directly—he remained there about ten minutes, or a quarter of an hour after I went in—he then came out, and asked me for a towel—I gave him one—he had washed himself, and wanted the towel—he merely said, "What time is it?"—I did not answer him, for he said, "The clock is striking eight"—I heard the clock striking just as he asked the question—he left the house directly—I saw him again, about a quarter after seven o'clock the same evening—I had heard of the murder and robbery of Mr. Templeman about twelve o'clock in the day—when he returned in the evening, I said, "Richard, I am glad you are come home, as I should not have left my door open for you any more," in consequence, I told him, of the murder and robbery which had occurred so near us—he made answer, and said, "I expected as much"—I did not mention the person who was murdered, at that moment, I did directly after—he said, "I have just heard something about it, but I do not know any particulars," as he had called in at the Rainbow public-house as he came along—my husband had gone out, and he came in about that time—when the prisoner said he had just heard of it, I asked him where he had been that he had not heard of it before—I believe he then walked through the house, and went into the wash-house to the privy—as soon as he came back, he said he had been to his aunt's, and asked my husband

to fetch him some beer, and a rasher of bacon, and some tobacco—he did not say where his aunt lived—he had represented that he had an aunt, but I had never seen her—he gave my husband 1s. to pay for the beer and bacon, and when he gave it to him, I fancied I heard more money in his pocket—he told me he had been to see his aunt, and she had given him some money—I noticed that he had a pair of new shoes on—he told me he had called on his cousin, who had a pair of shoes too large for him, and had given them to him—we proceeded to have supper—while at supper some conversation took place respecting the murder of Mr. Templeman—I asked him where he had been the night before—he told me he had been playing at skittles at the Rainbow—I made answer that he could not have been playing at skittles till that time of morning, and he said he had been gossiping after he came from the Rainbow—he did not say with whom—he went to bed very soon after—the moment he went in, my husband went and bolted the door of his room on the outside—he made an observation to me when he bolted the door—about an hour and a half after he was bolted in the police came and took him into custody—I was in his room on the Monday, and noticed a pair of stockings lying on the box, dirty—they were rolled up the same as a clean pair of stockings—I merely took them up to see what stockings they were, and laid them down again—I did not undo them at all—I looked at them, because it was an unusual thing to have any of his clothing in the house—he never left any thing in the house, and I looked to see what it was—I am quite sure there was more than than one stocking there—they were rolled up so that I could only see one stocking, folded up as clean white stockings usually are—I had washed for him some months before—latterly, I believe, Mrs. Jarvis washed for him—(*looking at a stocking*)—this is a cotton stocking, and this is the stocking which was folded outside—it laid in this direction—I took hold of it, to see what it was, and laid it down again—this is exactly the same sort of stocking, the same make of stocking, and I judged, when I saw it, that it was Richard's stocking—(*looking at another stocking*)—this is not the fellow-stocking to the other—they are two odd ones—they are both cotton—when I washed for him, through getting wet in his feet one day, he put on one fresh stocking, and so they got mismatched—they continued to be washed as a pair afterwards, though they were odd ones, the whole time he was with me—the first stocking I have looked at, was shown to me on the Wednesday by a policeman—at that time it contained money—I was afterwards shown where it was taken from—I had never put any money or property of that sort in that place, nor did I ever know of its being there—(*looking at the lantern*)—I remember that my husband had such a lantern as this in the house—it may be twelve or eighteen months, or longer, since I saw it—my husband used it about two years ago, to go to the sow when she pigged, and I have some recollection of putting it into a cupboard or box, I do not know which—I know I put it away—the cupboard and box were both in the wash-house—the box was not removed to my knowledge for a length of time—it was never in the room the prisoner slept in—it was never moved out of the wash-house, that I remember—my box was in the prisoner's room—that is a rubbish box—it was not in that box I put it—it was in the wash-house—I have some recollection of putting it away myself—I cannot positively say—I never burnt a rushlight in it, when it

was used—during the time the prisoner slept at our house, I never knew him have a light—if I offered him a candle he would not have it.

Prisoner. Q. What sort of a night was this? *A.* Very moonlight, very light—I have stated it was about two o'clock when you came home—I judge so because my baby awoke me, and I was awake the remainder of the night, and did not go to sleep any more—I was out of bed three or four times.

Q. If you had been awake, could not you have heard the clock strike? *A.* I might not be attending—there is no fastening to your bed-room window—I could not have got out of it myself without difficulty—I do not know whether you could have got out of it—I do not know how high the window is from the ground—you can stand in the room and look out of it—you cannot reach to the top of the window, you can to the centre—I remember taking the lantern off the table and putting it away after my husband used it—we have never had any one lodging in our house since we had the lantern, but you and Wright—I cannot say whether you were in the habit of going to my boxes or cupboards, you were often in the house, you could go to them if you liked—I have not washed for you since you went to the Barnsbury Castle public-house, that was about six weeks before Christmas.

Q. You say that is like the stocking you saw on the box, is there any mark on it which causes you to think so? *A.* It is exactly the same kind of stocking, and here is the mark round the top, and the appearance of the stocking altogether—I looked at it, and when I saw it next morning, I saw it was exactly the same stocking—I have not found any stockings in my room myself—I have never seen any found in a bedstead since, nor have I heard of it—you were poorly when you came home on Sunday—you told me you had been drinking some beer.

Q. Was it not the custom for me, all the time I lodged with you, to go regularly every Sunday morning to collect what money I had due to me by weekly instalments? *A.* Not since you left the Barnsbury Castle—you owed me about £1 or £2, at this time, but I have never cast it up.

Q. Now tell the truth, if you had known that I had money in my possession, would you not have thought me unprincipled not to pay you? *A.* You have had money and offered to pay me, and I have said, "If you are short, you had better let it alone"—I have said so in many instances, and I never expected you would pay me, being out of employment.

Q. How could I be without money when I offered it you? *A.* You have had 1s. or so, and said, "I will pay for my tea," and I have said, "Never mind"—you have said, "I have a trifle," and I have said, "Never mind"—I knew you were in distress, and did not wish to trouble you—we have one door into the garden, and one into the wash-house—we cannot fasten the outer door, nor do I want—it is off the hinges—I have footed stockings for you when I washed for you—I have no recollection whatever of mending this one—you had two pairs when I washed for you a month before Christmas—I had mended them for you.

Q. Do you suppose two pairs of white cotton stockings in constant use would last me that time, and be as good as these? *A.* I can't say whether you wore them all the time or not—I know nothing about your replacing those stockings.

Q. Have you ever known me out for improper motives, or any thing unlawful? *A.* I do not know what you were out for—I am not obliged to give you a character—I know nothing of your conduct out of my house.

MR. BODKIN. Q. Have you ever had any quarrel or difference with him? *A.* Never in my life—I was not present when the stocking was found; I was in the room when the policeman brought it in.

Prisoner. Q. Have not I purchased shoes of your husband? *A.* You had one pair of me.

WILLIAM KERR (police-constable N. 131.) I was on duty on the 17th of March, at Islington—I came on duty at nine o'clock in the morning—I received information at half-past eleven o'clock in the forenoon, and went to Mr. Templeman's cottage, the door was closed—I got in by the sitting-room window—it was about a third open—I found the sitting-room in a confused state—there was a chest of drawers in it, and I observed the top drawer was open—two drawers were open—they had been opened by a chisel—there was a mark on the drawer—I afterwards went into the bed-room and found Mr. Templeman lying on the floor, dead—I returned to the sitting-room, and found inside the top drawer a small box which Collins took possession of—there was nothing in it—it was open, there is a lock to it—I cannot say what it had been opened with—there was the mark of a chisel close to the lock of the top drawer—I observed the window by which I had got into the room, there was a pane of glass in it with a small bit out—it had been an old break, and a nail was put in to keep it in its place—it was knocked down, so that a finger could be put into open the window—I do not remember seeing any paper there—I went in by myself—I did not fit any chisel to the marks myself.

Prisoner. Q. Is the cottage situated within your beat? *A.* No; this was not my beat at that time—Middleton, No. 235, was on that beat that morning—he came on at nine o'clock—Peacock had been on at nine the night before and off at six—the man before him came on at six and went off at nine—neither of those officers are here—I do not recollect seeing any broken glass about.

Q. The window did not appear as if any violence at all had been used to it? *A.* There was the violence of just shoving a finger in—I saw where the window was broken—I went there with two surgeons.

Q. From what you saw, how many persons do you think had been engaged in the murder of Mr. Templeman, and robbing him? *A.* I cannot tell—I think one strong man might do it himself, he being a feeble old man—I have never said I was certain there were two or more—I was never asked the question—Mr. Roe, the surgeon of Canonbury-square, first gave me information.

JOHN COLLINS. I am a police-sergeant. I went to Mr. Templeman's cottage on the morning of the 17th—I got there a little after eleven o'clock, soon after Kerr—I examined the state of the sitting-room, and looked at the window particularly—one corner of the pane of glass appeared to have been broken out, so that a person might put his finger through on to a button with which it was fastened inside—there was then nothing to prevent pushing it up—it was a swing window opening inward—a person could only get his fingers in—I looked at the drawers and found marks of violence on one drawer—in that drawer I found a quantity of bills and

memorandums and two boxes, one mahogany, and one covered with paper, and among the papers I found two notes of the "Bank of Elegance"—one for 50*l.* and the other for 5*l.*—they are *flash* notes—I produced them at the last trial, and have not seen them since—(*looking at some*)—I believe these to be the same—they were notes like these—this is the box—it was not fastened—I should think either a small crow-bar or chisel had forced the drawer open—on the 12th of May last, in consequence of directions which I received from Inspector Miller, I searched a pond in Pocock's-fields, about three or four hundred yards from Mr. Templeman's, or it might be five hundred, and about thirty yards, or not so much, from Allen's—I found this lantern in that pond, with the piece of rushlight in it the same as it is now, except that this was fast in the frame—I did not find or see any thing else found—I had not heard the prisoner make any statement to Sergeant Otway.

Prisoner. Q. Do you recollect accompanying Sergeant Bradshaw to Coldbath-fields on the 11th of May to fetch me from the police-office? A. I do—I do not recollect any conversation taking place about searching for some wood in consequence of your statement—I never said any thing to you about any thing of the sort—I am not aware that Sergeant King or any one else went on Sunday to search—I never mentioned to you about any rails which would have stopped such a thing had it been there—there are railings all the way along the New River—I never said any thing to you about it—I said nothing about any search—I said nothing about the statement you had made on Saturday night—you and Bradshaw had some conversation together, but I did not hear it—nothing was said about any pond then—we were all in a *cab*, and from the rumbling of the *cab* on the stones I could not hear what you said.

JAMES MILLER. I am an Inspector of the N division of police. On Tuesday, the 17th of March, I was stationed at Islington. Pocock's-fields are in the Islington-station—I know Mr. Templeman's house—it is in the parish of St. Mary, Islington—I first went to Mr. Templeman's house between twelve and one o'clock on the 17th of March—I examined the window of the sitting room, and found it open, and the top pane of glass broken—a small piece was broken out of the corner—I found a piece of glass on the sill of the window inside—it was in such a situation as it would have fallen from the vacant space if pushed in—I saw a chest of drawers in the sitting room—the top drawer had been forced open and there were two marks on it—I produce a chisel and the drawer—I have compared the marks on the drawer with that chisel, and they correspond—the chisel has got a notch in it, and there is a mark on the brass of the lock, corresponding with the notch—it is a vacancy in the mark, a part where the chisel has not touched—there is a second mark in the wood-work, which also corresponds, but that is cut into the wood-work rather deeply, and there is no defect in the chisel mark there—the drawer appears to have been opened by those means—I took the prisoner into custody at a quarter after eleven o'clock the same night (Tuesday) at Allen's cottage in the same fields—he was in bed—the bed-room door was bolted outside—he was in bed with two children of Allen's—he appeared to be asleep—I disturbed him—he did not get up then—I procured a light, and he then got up, after my arousing him a second time—I searched his clothes, and found in his trousers pocket 9*s.*, all in shillings—while I was counting the money I asked if he knew what money he had—he said, 9*s.*—I found seven lucifer matches

in his waistcoat pocket, and two pawnbroker's duplicates—while he was dressing himself he asked me where my warrant was—I told him I did not need a warrant—he asked what I wanted him for—I said, “I suppose you have heard of the murder here, it is that I want you for”—I do not think he made any reply to that—he said at one period, “If I was as innocent of every thing as I am of that, I should not have much to fear, but give a dog a bad name and hang him”—I then took him to the station-house—on the following morning I took a pair of new shoes off his feet—these are them—*(producing them)*—I have not had them ever since—I gave them up when the prisoner was acquitted of the former charge—the same marks are on them now as then—one is marked 98 C, and the other 97 C—these are the shoes I produced on the last trial—I asked the prisoner where he got them—he said he bought them in Kent-street, Borough—I asked what he had done with his old shoes—he said “Thrown them away”—I have produced one of the stockings which I found on a chair by a box in the bed room in which I apprehended him—he had a pair of stockings on besides—I did not find any portmanteau or place where he kept his clothes—there were no other stockings about the place but that one—I did not see where he kept his clothes—there were boxes belonging to the Allens—I examined them, but found no stockings—this other stocking has been in my possession ever since the last trial—I received it from King and have produced it to-day—I did not myself search the pond in Pocock's-fields—I ordered it to be searched in consequence of a communication I heard made by Otway in Gould's presence—Otway said the prisoner had stated that he threw a lantern away into a pond in Pocock's-fields—the prisoner heard that statement made—I do not recollect that he made any observation upon it—it was in consequence of that I ordered the pond to be searched—I did not see the lantern or chisel found.

Prisoner. Q. Where was this communication made? *A.* At Bow-street police-court, on Monday, the 11th of May—persons had not been searching on the Sunday previous for wood—I saw Sergeant Otway on Saturday night the 9th of May—he did not come with the intention of stopping some of my proceedings on account of what you had said—he told me you had implicated Jarvis and his wife—he told me you had made a statement—he did not tell me all—he did not show any statement to me—you had not mentioned any thing about a chisel before, to my knowledge—I did not hear any thing mentioned about one previous to its being found—I think there are six ponds in Pocock's-fields—you pointed out no particular spot—you said, “a pond in Pocock's fields”—when I first apprehended you, the stockings you had on were a pair—you were given into my custody the last time at the station-house in Gardener-lane—I remember your saying you should not say a word about it—that was in answer to my question if you wished to say any thing to me—you said, no, you had already said too much—Sergeant Otway said you were no prisoner of his, he handed you over to me—he did not say you had no occasion to mention any thing which had taken place between you, as he did not intend to do any thing against you—he said you were no longer a prisoner of his, and he handed you over to me, he had no evidence to give—I do not recollect any thing more—when I first apprehended you, on the 17th of March, you said you had been to Norwich—I put a question to you concerning a pair of shoes which you had, the next morning—you were in

the cell at that time—I think there was no prisoner there but you, but I will not be positive—your shoes were taken off in the cell, and I asked you, as a matter of course, where you bought them.

GEORGE OTWAY. I am a police-sergeant. On the 7th of May I received directions to go to Gravesend—I went on board a vessel bound for Sydney—I found the prisoner on board—he was known by the name of Kelly on board—I had the copy of a letter with me offering a reward for this matter—I showed it to the prisoner—after he had seen it he made a communication to me—I afterwards took him into custody on this charge—in consequence of the communication he made to me, Inspector Miller directed search to be made in this pond in Pocock's-fields—the prisoner told me he had thrown the dark-lantern into a pond in Pocock's-fields—he did not say any thing about a chisel.

Prisoner. Q. How long had you known I was at the Compter previous to your coming to Gravesend? A. Not more than three or four hours—I first visited you there at eleven o'clock at night—I represented myself to be an officer—I was dressed in plain clothes—I had no Macintosh on my arm—I left you in about half an hour—I said I had come by desire to show you a copy of the letter of the Secretary of State—you asked me to show you the letter—you were in the cuddy when I first came on board—you read the letter twice, I believe—you had it time enough to do so—after reading it you put it on one side, and said you had made up your mind you would have nothing to do with it—you did not tell you knew nothing about it—the paper offered 200*l.* reward for the discovery of the parties who committed the murder of the late Mr. Templeman—you asked me to show you the letter again—I did so, and then you said, “I will have nothing to do with it, but I will tell you what I will do; if they will give me 100*l.* I will tell who the parties were”—I then asked you who the actual parties were that committed the murder—you said, “I shall be required to remain in England”—I told you you would so—you then said, “I will tell who the parties are that actually committed the murder, if you will give me 100*l.* and pay my passage-money”—that was about ten minutes or a quarter of an hour after I had been with you—it might be twenty minutes, I am not certain what time I stopped, whether it was half or a quarter of an hour.

Q. On your oath, did you not persuade me, as I had seen so much trouble through this affair, to make something by it now I had the opportunity? A. Certainly not—I did not tell you how serviceable the money would be to you, as you were about to leave the country—I did not ask you to come to town—I said I should not ask you any questions—I said nothing about a gentleman coming to be security—I said, “It is not likely you will see me again in the Downs.”

Q. Do you pretend to swear, that for a quarter of an hour, nothing was said after I refused to have any thing to do with it for the 200*l.*? A. The greater part of the time, you were leaning your head on your arms, thinking—in consequence of what you said, I made a report to the Commissioners of police—I did not ask you to have any thing to drink—we did not have any thing—you asked me whether you could be tried again for the murder—I told you no, but you could be tried for the robbery—I did not say you could be punished, as you had said you knew who the parties were, if you did not make a disclosure—scarcely any thing further passed on the subject on the way to London—I was not with you, you were in one part of the vessel,

and I in the other—I let you walk about just as you liked—you went down to breakfast by yourself—I gave you into Inspector Miller's custody at the station-house—I do not recollect that you made any remark at that time—I did not say there that you had no occasion to take notice of any thing that had taken place between us, for I did not intend to do so against you—the conversation you allude to, took place in a *cab*, in the presence of Inspector Miller, after you had been placed at the bar at Bow-street and charged with robbery—I accompanied Mr. Miller to the lock-up place to you—I was not there by myself a moment—I went in and came out with Mr. Miller—you asked me whether I should be disengaged next day, and if I was whether I could step up to the prison—I said I did not know whether I should, but if I could I would come up after chapel—you asked me to bring you a clean shirt and some shoes—I did not advise you to make a statement and get out of it—I never mentioned any thing about it—I do not remember telling you any thing in presence of the principal turnkey at Coldbath-fields prison—you sent for me there one night—when I got to the prison you said you had made up your mind to tell all you knew about the affair—to the best of my recollection, my reply was, “I am very glad of it;” I do not believe I made any other observation—I cannot tell on what conditions you made the statement; you had made it to the turnkey before I got there—I did not tell you in the presence of the turnkey, that by making a statement you would be entitled to the whole reward and be perfectly clear—I did not wish to retire with you—we did retire, by your wish—I believe, the principal turnkey and the governor were present as well—you were very anxious for me to take Jarvis into custody, but I wanted to hear a little more about it before I took him—I came there next day by your directions—you said there were several other things connected with the case which you would write down, and if I would call up, you would have them ready in writing for me.

THOMAS HOBBS KING (*police-sergeant N 22.*) On the morning of the 18th of March, between six and seven o'clock, I went to Allen's cottage and searched the privy and wash-house—I found this stocking which has been produced; it contained nineteen half-crowns, forty-eight shillings, and seven sixpences—on the 14th of May, by inspector Miller's directions, I assisted in searching a pond in Pocock's fields, the same pond in which the dark lantern was found—it was quite emptied—I saw something in the mud—I told a man to see what it was—he stooped down and picked up this chisel—this is the money that was produced at the last trial—(*examining it*)—here is a half-crown which I believe to be part of the money—I found this money in Allen's back washhouse, in this stocking, concealed behind the first rafter, between the ceiling, it was between five and six feet above the seat of the privy.

Prisoner. Q. What time did you first go to the New River to search for any thing? **A.** I never went to search for any thing in the New River—I believe sergeant Bradshaw went to ascertain whether there had been any thing found answering the description—I cannot say whether that was on Sunday the 10th of May.

MR. BODKIN. Q. How far is this pond from the house of Mr. Templeman? **A.** Between 300 and 400 yards—there are two or three other small ponds near it—I believe it was not the nearest pond to Mr. Templeman's house.

THOMAS FRANCE, Esq., (Under Sheriff.) This money was produced at

the last trial of the prisoner—a shilling of it was then lost—it dropped down when it was on the bench before Mr. Baron Alderson—I made a memorandum of the loss of that shilling—I have kept the rest sealed up ever since—it was sealed up in the presence of Miller.

BENJAMIN HAWKINS. I live in Liverpool Cottages, Islington. I knew the late Mr. John Templeman—I was in treaty with him to sell a cottage a little after Michaelmas, last year—it was not my cottage—he offered to deposit 15*l.* in my hands to pay for it—that was the price of the cottage—I saw a quantity of money in his possession, which I think was about 17*l.* 10*s.* in shillings and gold, and two notes which appeared to me like Bank of England notes—he put them down on the table before me, but I did not notice the amount of either of them—I mentioned his dealing for the cottage among the people living in the neighbourhood.

Prisoner. *Q.* At the time this conversation took place about the cottage, was I there? *A.* No, you were not—I never mentioned it in your hearing—I know Mr. Templeman's cottage very well—there are six or seven, or eight or ten cottages near it—Jarvis's, where I have seen you, I believe, is the nearest, and then Mrs. Thornton's—I suppose they are about a dozen yards from it—I was in the habit of serving Mr. Templeman with beer—I have seen you there sometimes—I saw you there with Mrs. Jarvis, and said, "Halloo, Richard, is that you?"—you held up your head and said, "Don't say you saw me here"—that was about a month previous to the murder—I never saw you talking to Mr. Templeman—I heard him complain of your getting over his palings, against his wish—I repeatedly heard that, and he was very much offended with you for so doing—it was not a general thing to make a short cut that way—it was Mr. Templeman's own premises, and no one had a right to go through them without his leave—he allowed me to go through his place whenever I liked—I never saw you go that way.

MR. BODKIN. *Q.* Did you at any time mention about the money to the Jarvis's? *A.* No.

JOHN WEST. I am a shoemaker, and live at No. 47, Lambeth-walk. I recollect serving the prisoner with a pair of shoes on Tuesday, the 17th of March, in the fore-part of the day—to the best of my belief these are the shoes I sold him, but I should not like to swear it—they are not my manufacture—he fitted them on in the shop—he paid 7*s.* 6*d.* for them—I believe he paid with silver—I really forget what money he gave me—I believe it was silver—I forget whether I gave him any change or not—he put on the boots which he bought of me—I observed his other boots—they were low ones—a woman and a child were with him.

Prisoner. *Q.* What was the first cause of your coming in to me? *A.* Mr. Cope came to me—you had previously told him where you bought the boots, and I came to see if I could identify you—I said I should not like to swear to you then, if I saw you in your own dress which you wore perhaps I could—I did swear to you when I saw you in your fustian coat—you had a fustian coat when you were in my shop—your own boots were not very old—I thought they were very serviceable boots—I did not see any holes in the upper leather—I did not notice the soles—you took away the old boots in a handkerchief, and walked away in the new shoes.

MR. BODKIN. *Q.* Were you here at the last trial? *A.* Yes—I was brought here on the part of the prosecution—I was not examined.

FANNY SYMMONDS. I live in Oakley-street, New Cut, and deal in second-hand clothes. On the 17th of March, between ten and eleven o'clock in the morning, a woman with a child, (at least she spoke of a child, but I do not remember having seen it,) offered me a pair of men's old boots, and begged I would purchase them—they were very heavily nailed—I should call them ancle-boots, they laced in front—I gave her 2*d.* for them, as she begged me to give the child a trifle to buy a bunn—I have since sold them for some china.

JOHN JARVIS. I live in a cottage a short distance from Mr. Templeman's. I know the prisoner—I know he used to supply Mr. Templeman with beer, till within a fortnight after Christmas last—he was then potman at the Barnsbury Castle, a public-house in the neighbourhood—I had seen him there often at that time—I never saw him serve beer above once at Mr. Templeman's—I have seen him about there, and crossing the ground there about that time, or just after.

Prisoner's Defence. My Lord, as this is a very intricate case, I am totally unable to explain the nature of the evidence myself. I most earnestly crave your Lordship's protection, as I am undefended. There are some portions of the evidence which, I think, perhaps it is necessary that I should make some remarks upon, although I am not aware that I am compelled to explain every little thing that might transpire. It appears, gentlemen, although there is a great mass of evidence produced against me, that there is very little of it which appears at all to affect me; but I shall explain, in the best manner I can, to you, that part that I think does. And first, the witnesses state that I was in the skittle-ground, playing at skittles, and had no money but three halfpence. Now, gentlemen, the very name of a skittle-ground will convince you of the motive of my denying my pocket there. It is not likely, if I had a few shillings of my hard earnings and savings in my pocket that I should go and throw it away among a parcel of men in a skittle-ground, especially when I could get as much beer as I liked by saying I had no money. One of the witnesses states that I sent him for a rushlight. I did so, I acknowledge, but I made no secret of it. If I had wanted a rushlight for any particular occasion, I should have gone and got it myself, the shop is but a few yards from the public-house. I sent for it in the open tap-room, and he brought it to me in the tap-room. Then, as to the time at which I am stated to have gone home that night, I would ask you whether it is likely, on a moon-light night, like that was, that they can tell what time I went in? In their own evidence they state that it was as light as day, and still they take upon themselves to swear that it was two o'clock. With regard to my telling the Allens that I had no money, my reason for that must be very obvious to you: I owed them between 1*l.* and 2*l.*, and there was still something standing for boots: if I had told them that I had money in my pocket, or that I had been and bought new boots, Allen, being a shoemaker, would naturally have thought it very unprincipled of me to go and lay out my ready money at another shop, at the same time that I owed him money. There are a parcel of witnesses who come and give some and very various accounts of conversations that they say took place between us previous to the murder; but you see with what caution they have managed it, so that there should never be a third person to hear those conversations. First notice Mr. Wright—he can recollect every thing I said to him, but he does not recollect any thing that was said in the presence of Squires; he does not recol-

lect what he told Squires; and it also appears that Mr. Wright knew all these places as well as I did; he knew Allen's cottage, and he knew the wash-house, and the water-closet, and the garden, but he states he never saw a lantern; for what reason Squires is kept out of the way I am not aware; but he is not forthcoming to day to certify as to the truth of what Wright has stated. Next come Mr. Jobson and Mr. Rogers. I will ask you, whether their characters are worthy of the least attention. You must have been convinced, by the way they answered those questions which I put to them, that they are not to be credited for a moment. But there is one thing which I should particularly wish to draw your attention to, and that is, the very unfair, if not illegal, means by which I have been drawn into the predicament in which I now stand. This Sergeant Otway (although he comes here and denies it; why does he do so? for the sake of what he shall get, if I am convicted) knew that I was at the Compter; but he would not come there to me. No, he watches his opportunity, when he well knew I should be among strangers, and should wish not to be known; and mark the time he comes, at eleven o'clock at night, when I am in bed and asleep, taking me by surprise, and thinking that day being the first I had been at liberty for some time, that I should have been drinking a little, that that would be the best time. When he came to me he represented himself as a gentleman, sent to me by the Secretary of State, with an especial message to offer me 100*l.*, if I could give him any information that would lead to the conviction of the parties concerned in the murder of Mr. Templeman. What did I tell him? I at once told him that I did not know any thing about it, that I would have nothing to do with it; he has confessed here to-day, that I told him so more than once. I said I would have nothing to do with it for 200*l.* He then sat down, and began reasoning with me, telling me as I was a young man, and about leaving the country, how serviceable money would be to me, how much better it would be to go out with 200*l.* in my pocket than nothing at all, and as I had seen a great deal of trouble, I should be very foolish if I did not now make something of it, if I could. Well, with these persuasions, and as he positively assured me that I could not be tried again, I am free to acknowledge, that I did feel inclined, if I could make any thing of it, to do so, and I made up my mind to tell a lie for the sake of the reward. Now, I will ask you, Gentlemen, if that was a fair way of transacting business? He then got me to agree to his proposal. After I had said several times that I would not have any thing to do with it for 200*l.*, I said, "In the event of there not being a conviction, how should I be situated? for if I was to stop behind I should lose my passage, and lose every thing." He then said, "Putting that on one side, will you, or would you, if I was to bring you 100*l.*, and lay it on this table, tell me who the actual parties were?" I said I would. He then asked me if I was required to lose my passage, what would I do so for. I said, "For the passage money." He then left me. I will ask you, Gentlemen, whether you think that the conversation he states was all that transpired, would occupy half-an-hour? and he was obliged to acknowledge that he was there at least half-an-hour. I saw nothing of him till the next morning, or the morning after, when he came down, and instead of bringing the 100*l.* that he talked about, he brought a warrant. Of course I found I was very much taken in somehow; but I did not take any notice of it then. In the course of our journey to London, I asked him

how it was that I could be apprehended on the warrant. He told me how things stood ; that I could be tried for the robbery, and as I had acknowledged to him that I knew who the parties were, I could be punished if I did not make a disclosure. I then saw, for the first time, that I had been taken in, and how awkwardly I was situated. He then took me to the station-house, and from thence to Bow-street, where I was charged with the robbery. After I had been so charged, he came to me in the lock-up place, and told me the only way for me to get out of the scrape was to make a full statement of the whole affair, and then I should be not only entitled to 100*l.* but 200*l.*, and likewise that I should be committed as evidence, and taken great care of. Of course I could not make any statement at all ; but I told him I would consider of it, and if he came to me next day at the prison, I would give him a decisive answer. He then left me there locked up by myself, and finding they had driven me into a corner, and not knowing in what way at all to get out of it, I was driven almost to desperation, and I then made up my mind to make it appear, as though I really had been concerned, and also to accuse innocent parties, with the intent of getting out of it myself. You will say that that was a very rash proceeding ; and so I will allow, and so I felt it to be, when I came a little to myself ; but I never thought of there being a conviction at that time ; it was merely because he promised me that I should be able to turn evidence ; it was on that that I made the statement. After I had made up my mind to do so, I sent for him. He came to me in prison, and in the presence of the under-governor, and the principal turnkey, I told him that I was making this statement on condition that I was to be myself perfectly clear. He said he would tell me then, as he had told me before, that I should be admitted as evidence, and likewise that I should have the reward. For what reason the principal turnkey is kept away, I am not aware ; he was a witness that would have been very necessary to have been here, to prove that part of my statement ; but he is not. I had commenced making this statement to the principal turnkey when the officer came ; but I had told him what were my motives for making it, and likewise told him that I would send for the officer. They thought I was to be admitted as evidence, and on that account I was not treated as prisoners generally are. I was allowed sheets and tobacco, and to buy what I liked. Sergeant Otway also gave me some money there, and told me whatever I wanted I could have. Now, gentlemen, I will appeal to you whether, if it is not an unlawful proceeding, it is not, at least, a very unfair one ? With regard to the lantern, it must be very evident to every one of you, that I did not know it was there. The reason of my mentioning the lantern was, because there had been a lantern mentioned on a previous occasion. Is it likely that if I had known there was a lantern in Allen's house, I should have been running any where else inquiring after one ? as some of the witnesses try so to make it appear I was, a day or two previous. If I had in reality been engaged in this horrid affair, should I not have given some convincing proof of it ? Do you think that a transaction of that kind could be carried on, a crime of that kind committed, without something having been traced to the parties themselves ? What proof is there about that lantern ? None. Where has it been for two years ? whose hands has it been in ? If they were to speak the truth, they do not know whether they left it in the garden, or brought it in doors ; and if they did place it in the cupboard, as they state, a child might take

it out. Their own children are in the habit of carrying things out, and losing them. It would be useless for me to comment any further upon the evidence, as I am sure his Lordship will explain it to you in a much clearer manner than I can.

GUILTY. Aged 23.—Transported for Life.—(*See Sixth Session, p.1008.*)

Fourth Jury, before Mr. Common Sergeant.

1697. THOMAS SELWAY was indicted for stealing, on the 25th of May, 1 handkerchief, value 1s., the goods of Francis Cooke, from his person.

(The prosecutor did not appear.)

NOT GUILTY.

1698. GEORGE MADDOCKS was indicted for stealing, on the 16th of June, 1 shilling, and 2½d., the monies of William Martin.

WILLIAM MARTIN. I live at the Three Pigeons public-house, Brentford. About a quarter-past four o'clock, on the 6th of June, I put my clothes in the coach-house, and went to work, when I came back I missed one shilling and two halfpence out of my waistcoat pocket—it had been safe when I put my clothes away—I saw the prisoner in the yard—in the afternoon I saw him go into the coach-house again, and when he came out, I went in—I had marked the shilling—(*looking at it*)—this is the same.

JOHN POOL. I am an officer. I went after the prisoner, and found this shilling on him—he said he took it at Smithfield-market the Monday before.

Prisoner's Defence. A man came and asked me to give him change for it, and I gave it to him.

GUILTY.*** Aged 23.—Transported for Seven Years.

1699. JOHN FORD was indicted for stealing, on the 12th of June, 35lbs. weight of iron, value 3s., the goods of Peter Anthony Steinkeller his master.

LOUIS LEMANSKI. I conduct the business of Peter, Anthony Steinkeller. We lost this iron—(*produced*)—I know it to be master's property—the prisoner was in his employ—he bore a good character—I never authorised him to take it—it belongs to the prosecutor's machinery.

JONATHAN BROWN. I work for the prosecutor. I know part of this iron.

JAMES COLSON. I am a marine-store dealer. The prisoner had been to my house four or five different times, selling small portions of iron—he sold part of this iron to me—I considered he had stolen it, and went to the policeman.

Prisoner. I was in great distress, and took it.

GUILTY. Aged 42.—Confined Three Months.

1700. EDWARD JOY was indicted for stealing, on the 17th of June, 35 handkerchiefs, value 2l. 10s., the goods of William Broome.

WILLIAM SHARPE. I am shopman to William Broome, a linen-draper, of Oxford-street. About ten o'clock, on the 17th of June, I saw the prisoner come up to the door and take this bundle of handkerchiefs—they were just within the door—I followed him two or three steps, saw an officer, and gave him in charge with them—these are them—(*produced*.)

WILLIAM JAYCOCKS. I am an officer. I took the prisoner into custody with the handkerchiefs in his hand.

GUILTY. Aged 36.—Confined Four Months.

1701. WILLIAM BUCHANAN was indicted for stealing, on the 1st of June, 6 spoons, value 1*l.*; and 36 yards of ribbon, value 5*s.*; the goods of Anne Matilda Freebody, his mistress.

ANNE MATILDA FREEBODY. The prisoner was my errand-boy. I missed some spoons and ribbon, and in consequence of suspicion, I sent for a policeman—the spoons were found in the prisoner's box, but not the ribbon.

JOHN DICKER. I am shopman to Mr. Dicker, pawnbroker, at Limehouse. The prisoner was in the habit of coming to our place, and pawned one spoon on the 24th of April, and another on the 30th.

EMANUEL EDWARDS. I am a pawnbroker. I have a spoon pawned by the prisoner on the 21st of April.

GUILTY. Aged 15.—Confined Four Months.'

1702. ELLEN HUMPHRIES and ANN M'CARTHY were indicted for stealing, on the 8th of June, 1 tureen, value 2*d.*, the goods of Spencer Hampson.

HENRY STEWART. I am shop-boy to Spencer Hampson, of High-street, Shadwell, a china-shop. On the 8th of June the prisoners came and asked the price of a dish—the boy came in to ask me, and left Humphries at the door—M'Carty walked on, but Humphries went out and called her back, and afterwards the policeman brought the prisoners back with the tureen—the policeman has it—he is not here—it was my master's—it is worth 2½*d.*

NOT GUILTY.

1703. ELLEN HUMPHRIES and ANN M'CARTHY were again indicted for stealing, on the 8th of June, 1 bonnet-shape, value 4*d.*, the goods of Robert Leeming.

ROBERT LEEMING. I live in High-street, Shadwell. I had a bonnet-shape hanging out of my shop on the 8th of June—I did not miss it till the policeman brought it—he has got it, and he is not here.

NOT GUILTY.

1704. JAMES FARRELL was indicted for embezzlement.

CHARLOTTE GEORGIANA DAY. I am a milliner, and live in Regent-street. The prisoner was my errand-boy—when he received money he should pay it to me directly—I sent him, on the 29th of May, to Coventry-street, to Miss White—I never saw him for ten days after—he never paid me the money—he behaved very well before this.

JANE GIBBONS. I am servant to Miss White, of Coventry-street. The prisoner came on Friday with a bonnet—I paid him 1*l.* 11*s.*—I am sure he is the person.

THOMAS VARDY. I am a policeman. I took the prisoner in the front kitchen of Mrs. Day's house—I asked him if he had received the money, he said, "Yes," and that he had lost it.

GUILTY. Aged 17.—Confined Three Months.

1705. SARAN ANN NEALE was indicted for stealing, on the 31st of May, 6 spoons, value 1*l.* 1*s.*; 4 pairs of stockings, value 8*s.*; and 4 pairs of gloves, value 4*s.*; the goods of Michael Doran, her master.

MARY DORAN. I am the wife of Michael Doran—the prisoner was in my service. On the 31st of May I lost these articles—I have found the stockings (*looking at them*)—they are mine, and have my initials on them—she had asked for a week's holiday—I met her at Chelsea, and gave her

in charge, and the stockings were found, one pair on her and another pair in her bed—they were quite new when taken out of my drawer—I never lent them to her—I am certain they are mine.

ANTHONY ROSE. I am a policeman. I went to No. 4, Great Chapel-street, and found a bundle—I went to the prisoner at Queen-square, and told her I had found a bundle, at No. 4, Great Chapel-street—she said it was hers.

Prisoner's Defence. The stockings are not the prosecutrix's—I had five pairs brought to me the week before, and they are them—they are my aunt Neale's, whose name is Mary Ann Neale.

MARY DORAN re-examined. I have the fellow pair to them—they are marked also—I am certain they are mine—they have "M" and four dots on them, which is the mark I made on my stockings—mine are marked "M G," but the G has been taken out.

GUILTY. Aged 22.—Confined Nine Months.

1706. **SARAH WINSLOW** was indicted for stealing, on the 8th of June, 2 pillows, value 6s., and 1 counterpane, value 4s. ; the goods of John Groom.

SARAH GROOM. I am the wife of John Groom, of New-road, Chelsea. The prisoner took a furnished room of me. In consequence of circumstances I sent for a constable, searched the prisoner's room, and missed two pillows and a counterpane—(*property produced*)—these are them—the prisoner is single—I have no doubt she would have taken them out again.

Prisoner. I pledged these things—I had the money to get them out with, which I went and borrowed—when I pawned them I said I should fetch them back the next day.

HENRY WALKER. I am servant to Mr. Roper, a pawnbroker. These things were pawned by the prisoner—I do not recollect her saying any thing about redeeming them next day.

GROVE JOHNSON. I am a pawnbroker, and live in Park-side, Knights-bridge. The prisoner pawned two pillows with me on the 11th of June—she said nothing about redeeming them—she was in the habit of pawning one day and redeeming the next.

WILLIAM WISDOM. I am a policeman. I was called to Groom's, and took the prisoner in charge. She said she had got the duplicates, and produced a glove, in which I found one, with 8s. 6d.—there was the duplicate of the counterpane, but not of the two pillows.

Prisoner's Defence. When the policeman searched me I gave him the money—I intended to redeem the things.

NOT GUILTY.

1707. **THOMAS MACEVOY** and **ALEXANDER MUNROE** were indicted for stealing, on the 17th of June, 1 penny, 4 halfpence, and two farthings; the monies of Richard Crutchley.

RICHARD CRUTCHLEY. I keep the King and Queen beer-shop, Old Gravel-lane. The prisoners came into my house at different times of the day on the 17th of June—the first time my wife saw them, and I received information, I set a friend to watch, and came in, having heard Munroe call out.

MARY CRUTCHLEY. I am the prosecutor's wife. The prisoners were in the tap-room—about half-past five o'clock I went down to the kitchen and as I came up the stairs I heard the till shut, and money rattle—I saw

Munroe's hand come over the counter—I went to the top of the stairs and called my husband, who stood on the stairs, a little distance from the door—he came—Munroe had brought his hand over the counter then—he shut the till—the other prisoner was standing near him, both leaning on the counter—I went for Wilson, asked him to watch while I went to tea, and directly after tea I heard Wilson cry out, “What! your hand in the man's till, and him out of the way?”—I then called my husband again—I do not know that we have lost any money out of the till.

WILLIAM WILSON. I am a master mariner. I caught Macevoy's hand in the prosecutor's till, and some coppers dropped from his hand—what quantity I cannot say—(Munroe was about the house some time—he was in the shop)—I caught hold of his wrist, and he struck me directly with his crutch—Munroe immediately said, “Where is your knife? stick him”—then Macevoy began beating me.

Macevoy. He said at the Thames police-office there was no halfpence dropped. *Witness.* I saw a handful of halfpence drop from him.

WILLIAM TAPLIN. I am a policeman. I took them into custody.

MACEVOY—GUILTY. Aged 29. }
MUNROE—GUILTY. Aged 33. } Confined Six Months.

1708. BRIDGET DOYLE was indicted for stealing, on the 3rd of June, 1 gown, value 9s., the goods of Ellen Harrington.

The Prosecutrix did not appear.

NOT GUILTY.

1709. THOMAS WILLIAMS was indicted for stealing, on the 3rd of June, 1 chest, value 2s.; 2 Guernsey frocks, value 6s.; 3 pairs of drawers, value 12s.; 3 pairs of trowsers, value 8s.; 2 round frocks, value 6s.; 1 shirt, value 1s.; 1 strop, value 1s.; 2 pairs of socks, value 2s.; 2 pillow-cases, value 1s. 6d.; and 8 books, value 4s., the goods of Peter Proudfoot.

The Prosecutor did not appear.

NOT GUILTY.

1710. JOHN SMITH was indicted for stealing, on the 18th of June, 3 planes, value 6s., the good of John Fisher, his master.

JOHN FISHER. I am a baker, and live in Monmouth-street, St. Giles's. The prisoner was in my employ—I have lost three planes, which are here—they were taken from my bakehouse—I asked the prisoner about them, he said he knew nothing about them—I found them at Mrs. Wildman's—she is not here.

Cross-examined by Mr. Horry. *Q.* How long had the prisoner been in your service? *A.* About ten days—I have known him for several years—he has worked directly opposite to me—I have a lad besides him, and some lodgers—we have persons about our yard—the lodgers are about the yard, but not in the bakehouse—the water-closet is in the yard, not far from the bakehouse—persons to go to the water-closet pass a trap which opens for the men to go down to the water-closet.

CHARLES THOMAS BEST. The prisoner sent me over the way to the rag-shop to Mrs. Wildman, with the three planes, I believe these to be them—it was on Monday—he gave me a penny, and told men not to tell any body.

Cross-examined. *Q.* You live with your father and mother at Mr. Fisher's, do you not? *A.* Yes, the prisoner gave me the planes as I was

going down to the water-closet, and going to school—I saw him throw them over into the next yard—he was in the yard by the water-closet and saw me, he gave 1*d.* to take them to Mrs. Wildman's—I went with the planes when I came home from school at half-past one o'clock—I then went to Blackfriars-bridge—I came back at half-past nine—I have not said it was half-past one—I did not go to school—I played truant, I was afraid master would give me a *hiding*—he gave me the planes about half an hour after I came out of the water-closet he told me to fetch them and take them to Mrs. Wildman's—I went to school in the afternoon.

Q. If you ever said it was two o'clock in the afternoon when he told you to go over into the yard and fetch the planes, is that true, and that you then went to Mrs. Wildman's? A. No—he said, “Go over into the next yard and fetch the planes you saw me throw over in the morning”—I went to the door and fetched them, brought them out myself, and took them to Mrs. Wildman's—my little brother was down in the cellar—a little boy went up stairs—I went into the yard myself and fetched them—I gave the boy 1*d.*—he went up stairs and brought them down—I said nothing to him—I did not find them in the yard—he brought them down to me—I gave him 1*d.* for bringing them down—I did not say, “Where are the planes that were chucked over here this morning?”—Mrs. Wildman gave me a silver sixpence for them (*looking at his deposition*) this is my mark here—it was read over to me—I told Mrs. Wildman that my father had sent me with the planes—the prisoner told me to say so.

NOT GUILTY.

NEW COURT.—*Monday, June 22nd, 1840.*

Fifth Jury, before Mr. Common Sergeant.

1711. WILLIAM ADAMS was indicted for stealing, on the 10th of June, 1 pewter pot, value 1*s.* 6*d.*, the goods of Henry Maudy; 1 pewter pot, value 9*d.*, the goods of Thomas Fitzpatrick; 1 pewter pot, value 1*s.* 6*d.*, the goods of James Lawrence; and 1 pewter pot, value 9*d.*, the goods of Robert Cocker. Also, on the 13th of June, 1 pewter-pot, value 1*s.* 6*d.*, the goods of Samuel Upperton; and 1 pewter-pot, value 9*d.*, the goods of Francis Redmead; to which he pleaded

GUILTY.*—Aged 37. Transported for Seven Years.

1712. JOHN WILLIAMS was indicted for stealing, on the 15th of June, 1 handkerchief, value 5*s.*, the goods of Philip Hill, from his person.

PHILIP HILL. I live in Smithfield. On the 15th of June, I was at the bottom of Holborn-hill, and felt something at my pocket—I turned, and saw the prisoner running—I missed my handkerchief, and followed him—gave an alarm—I headed him at Fetter-lane, he turned back and went to Farringdon-street, where I took him—my handkerchief was found at the feet of one of the witnesses—this is it (*looking at it.*)

JAMES FLAVIN. I am a sawyer, and live on Saffron-hill. The prisoner ran, and I saw him throw down the handkerchief—I took it up and gave it the officer.

Prisoner's Defence. I know nothing about it.

GUILTY.*—Aged 16. Transported for Ten Years.

1713. JAMES KNIGHT was indicted for stealing, on the 9th of June, 7 bundles of asparagus, value 10s. 6d., the goods of Edward Ansell.

EDWARD ANSELL. I live in New Church-street, Lisson-grove, and am a salesman in Covent-garden. On the 8th of June I packed several bundles of asparagus in a basket—there were some of the best sort, and some second—I left them in Covent Garden-market, at a stand—the next morning I looked into the basket, and seven bundles were gone.

WILLIAM TIBBS. I was in the market, and saw the prisoner cut the line of this basket—I went and told the watchman.

FREDERICK JOHNSON. I am the watchman. Tibbs came to me—I saw the prisoner go to and fro from the basket to his cart—I stopped him, and found seven bundles of asparagus in his cart—four of them in a sack, and three loose in the cart.

Prisoner's Defence. A man gave me 6d. and a pint of beer to carry them.

GUILTY. Aged 36.—Confined Four Months.

(There was another indictment against the prisoner.)

1714. GEORGE RYAN was indicted for stealing, on the 14th of March, 3 gowns, value 18s.; and 1 shift, value 2s.; the goods of John M'Kail; and that he had been before convicted of felony.

SARAH M'KAIL. I am the wife of John M'Kail. I was servant at a public-house in Westminster—there was a fire there—I lost three gowns and a shift—these are them—(*looking at them.*)

CHARLES PINER. I was hired to dig the things out of the ruins at the fire—I found two of these gowns—the master of the premises told me to tell the servant to come and look at them.

JAMES POWELL (*police-constable C 286.*) I stopped the prisoner in Piccadilly on the 14th of March—he was carrying a bundle of these things—I asked where he got them from—he said at the station-house that they were his sister's, who lived at No. 45, Piccadilly—I went, and no one there knew him—I afterwards ascertained that they were stolen from the fire in Jermyn-street, about a month before.

Prisoner's Defence. I picked them up, and as there was no one there, I thought they were rags.

WILLIAM TOOLE (*police-sergeant D 5.*) I produce a certificate of the prisoner's former conviction, which I got at Clerkenwell Sessions—(*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Seven Years.

Before Mr. Justice Littledale.

1715. WILLIAM BARNETT was indicted for stealing a certain post letter, containing 1 book, value 1s., the property of Thomas William, Earl of Litchfield, Her Majesty's Postmaster-General, while he was employed in the Postoffice; to which he pleaded

GUILTY. Aged 22.—Confined One Year.

1716 WILLIAM BARNETT was *again* indicted for a like offence. Upon which no evidence was offered. NOT GUILTY.

1717. WILLIAM CARTER and WILLIAM SIMPSON were indicted for feloniously having in their possession 2 moulds, having on them the impression of the reverse sides of a sixpence: 2nd COUNT, stating it to be the obverse sides.

MESSRS. ELLIS and ESPINASSE conducted the Prosecution.

WILLIAM PENNY (*police-inspector, G division.*) On the 15th of May, in consequence of information, I went to No. 10, Carrier-street, St. Giles's, in company with Redman and Fink, of the same division, and another officer, named Farrar, who did not come into the house—I got there at twenty minutes before twelve o'clock in the morning—I went into the front room on the second floor—the door was locked with two locks, a padlock, and a box-lock—I forced it open with the assistance of the other officers—I went into the room—no one was there—there was a very clear coke fire—I found this pair of moulds, (*producing them*) on the left hob of the grate, with the impression of two sixpences—two heads on one part of the mould, and two tails on the other—I found nine large spoons, which I believe to be pewter, standing up at the left corner of the fender—the room was furnished—there was a bed there, which appeared as if two people had slept in it.

Cross-examined by MR. CLARKSON. Q. Were you the person who previously received the information? A. Yes—I got the information from Mr. Powell—that was the source of my information, and no other.

Q. Did you know the room you were to go to? A. Yes—I expected to find the door locked—I expected to find moulds, or something of that kind—I did expect to find a mould, either in pieces or whole, and to find some person there, either at work, or in bed—the door was not bolted—it was padlocked, and had a box-lock, but I expected if any one was in, to find it bolted inside—I expected to find a person outside near the door, with the key.

MR. ELLIS. Q. Do you mean you expected to find it padlocked? A. Yes, and a man in the street outside, with a key.

HENRY REDMAN (*police-constable G 224.*) I went with the witnesses to this house, and assisted in searching the room—I found this pipkin containing metal, and in carrying it across the room the bottom fell out—this spoon was in it, which has the appearance of having been used with metal.

Cross-examined by MR. CLARKSON. Q. You found every thing that would be necessary for the purpose of carrying on the manufacturing of sixpences? A. Yes—the mould, and the materials of which they would be made—the spoon was in the pipkin, denoting that it had been recently used—I saw the moulds there—there was nothing wanting, in my judgment, to denote what was going on.

JOHN FINK (*police-constable G 77.*) I accompanied Penny and Redman on that occasion—I found, on the right hob of the grate a pair of plaster of Paris moulds, with the impression of two sixpences—I found some spoons by the hob, on the right-hand side of the grate—there was a clear fire.

JOSIAH HANCOCK. I live at No. 10, Carrier-street, St. Giles's. I occupy the lower part of the house—I let the rest in the middle of November—I let the front room second floor unfurnished, to the prisoner Carter, at 3s. a week—he put the furniture into the room—there were several to assist him—he occupied it, and had many visitors during that time—Carter sometimes paid the rent, but I received it from different people, but always the name of Carter was inserted in the rent-book—there is only one street-door—I shut it from ten to twelve o'clock at night—I always lock it at twelve o'clock, the latest—I keep the key in my pocket till morning without any person is out that wants to come in, or any person wants to

go out—the door is ordinarily opened about five o'clock for market people to go to market—sometimes later—it is sometimes shut again—about the latter end of February, the prisoner Simpson came, and rapped at the door—I let him in—he said he wanted to go in to sleep with Carter—I cannot exactly say what time he came—it was at a late hour—the door was fast—he stopped till the 14th of May—that was the last time I saw him—he continually came to the house to sleep, with the exception of a few nights—he generally came in late to sleep, though he was there at all hours in the day—he slept there for the most part—I saw Carter on the 14th of May, about dusk in the evening—he went up stairs—I do not know whether he went to his room—I saw Simpson afterwards, in about two or three minutes—he went up stairs—I did not see either of them go out that night—I went up stairs that night at eleven o'clock, and I heard some one in Carter's room—I could not see who it was—the street door was, at that time, locked—I had the key—I did not see either of them leave the house the next morning—I left that morning about ten minutes before ten o'clock—I heard some one up-stairs about five minutes before I went out, and as I went out, I saw Carter looking out of the window of his own room—I came back to my house in about ten minutes—I found the officers in Carter's room when I came back—I cannot say whether there were three or four officers—they were coming out of the room, just as I got on to the landing—I saw Simpson the next day, the 15th, after the officers had been—he came to the door—I told him I insisted upon his getting the things out of the room, that I would not have them there any longer—I saw Carter a few days after, up by Hyde-park-corner—we went and had a pint of ale with another person he had in company with him—I had seen the man before—Carter and I came out of the public-house alone, but there was another person standing by who did not join—Carter said, if he was taken, if I would not recognize him as being the occupier of the room, he would give me 10*l.*, and if that was not sufficient to satisfy me he would sell his clothes, and give me more—I told him I did not want him to sell his clothes, and did not want his money, but if I was called upon, I should state the truth—we went down into the Edgware-road, and I told them I had business to do at home—I took the omnibus, and came home.

Cross-examined by Mr. CLARKSON. Q. I am surprised, that after living with you from November, he should have supposed that if you were asked any thing you would not tell the truth. A. I do not know—my name is not Donohue, nor Donovan—I never went by any other name than Hancock—it was in the rent-book in my father-in-law's name—he took the house, and it went in his name—he put me in possession of it afterwards, and then I signed his name—he did not give up the house to me till Carter left—I always signed it in that name—I sell fruit and fish—I have dealt in other things—I buy as well as sell—I buy fish and fruit in season—I have bought cabbages—I swear that I have never bought any thing else for sale besides—I do not keep a shop—when I have fish I keep a stall outside the door, and when I have fruit I go round with it—I swear I never purchase any thing but fruit and vegetables, and fish in their season—I cannot say how many lodgers I have—sometimes I have more than others—one that may come to-night may go in the morning—they very seldom do that—I never had any lodgers before the prisoners to be in any way curious lodgers—I have about nine lodgers now—I have five rooms—there are four for the lodging part—there are two single men, a

shoemaker and a tailor—I think there are four single ladies, one married lady, and one married gentleman—the market-people are not with me now, they left about a fortnight ago—I have never been in trouble myself—I was never before a Magistrate before I came down on this account, to the best of my knowledge—I never was in prison, never in my life—I do not recollect being before a Magistrate—I did not take the 10*l.* offered by Carter—I would not take it on any consideration of him, nor any one else on that account—I took 10*s.* to replace my door, of a man whom I never saw before—he was a stranger—we fell into conversation together—he sent for me, and said he was very sorry for me, and offered me 10*s.*, which at first I refused, but at last he forced it upon me—I told him one of the officers had broken the door, and had promised to repair it, and I expected he would do it—I refused the 10*s.* entirely the first time and the second, and then he laid hold of me and put it into my hand—I do not know where he came from, nor have I any idea—I saw him since with Carter, on the night I saw Carter up by Hyde-park-corner—Carter brought him over to me—I did not go to the Mint—I did not go to the Mint that night—I had an interview with Mr. Powell—I was offered 30*l.* by another person—Mr. Powell did not say he would give me any thing—I did not require any thing, nor expect any thing—I would not take any thing if they would give it me, unless I was justifiable in doing so—I cannot recollect when I first went to Mr. Powell—the first time was down at Hatton-garden—I did not go there to meet him—I went to the Magistrate's—the officers came for me—I did not know Mr. Powell at that time—I went to the Magistrate first—I swear that—when Simpson was taken—I cannot swear that I had not been to the Mint before I went to the Magistrate—I had officers at my house before, not since, my father-in-law left—he is living there now—the last time the officer came was one night when Carter had been beaten by some person, and the officer brought him home—I do not know that I have had my house searched, not before this time—I swear that I never heard of it nor knew of it—When Simpson was first apprehended, Carter was not in custody—I have, in the absence of Carter, let other men sleep with Simpson—Simpson has brought them—I do not know that these men were acquaintances of Mr. Powell—I do not know when I last let any strange man sleep there in the absence of Carter—there is a padlock on the door—I have contrived to open the door to let people in, when Carter has not been there, and Carter himself too—I never forced the door—I opened it with a key belonging to myself—it was not the present padlock, it was one I had lent Carter—he came home one night and had lost the key, or left the key—he asked if I had a key that would unlock it, and I had—I have three or four keys—I may have seven or eight—I will swear I have not twice as many—I said before Mr. Powell that I saw Carter looking out of the window on the 15th of May.

Q. Did you say one word about Carter to any body when Simpson was in custody? A. I mentioned it in conversation with neighbours—I believe I mentioned it to the Magistrate—the deposition was read over to me before I put my name to it—I could not swear I did so.

Q. Did you breathe one word to any body about Carter being the occupier of the room till a month afterwards? A. I said so to the Magistrate—he asked if I knew Carter—I said yes, I knew him by the name of *Billy*—I knew him by the name of William Carter—that was the day be-

fore yesterday—I cannot say whether I was before the Magistrate the day before yesterday, or on Friday, or Thursday, or Wednesday—I cannot say on what day it was—I do not know whether it was a fortnight ago—I have always said, that on the 14th of May I heard some one in Carter's room—I cannot recollect the day I saw Carter at Hyde Park-corner.

Q. Did you ever say, before to-day, that when you met Carter at Hyde Park-corner there was any body with him? A. I did not say he was with him when he came to me—I did say he was with him—I said before to-day that there was a person with him—Simpson took away the furniture, with several to assist him—I did not expect to see the officers that morning—I did not know what brought them there—they did not tell me what they had found—I asked why they came, and they said they should want me afterwards—I said, if they did, I should state what I knew—one of the four single ladies that live in my house washes and does needle-work—I do not know what the other three do—they go out at night and come home in the morning sometimes.

Cross-examined by MR. JONES. Q. Carter lived in the house about three months before you saw Simpson? A. I had seen Simpson about the neighbourhood, but did not know his name—he had never lived in my house before the end of February—the officers asked whose room it was—I told them it was William Carter's; in fact, it was Carter's—I never treated any one else as the tenant—I will swear I saw Simpson on the 14th of May, about dusk in the evening—it might be about five, or six, or seven o'clock—I am quite sure it was on the 14th of May, on the Thursday—it was not so late as nine o'clock—I will swear it was as late as four—I have a clock in my house—I did not look at it—it must have been after three o'clock—I do not know where the Mint is—I think I know a large house on the eastern side of Tower-hill—I have never been in it—Mr. Powell's office is in Lincoln's Inn-fields—I have been there, but only once—that was after the officers went into Carter's room—I saw Simpson on the day that the officers were at my house—there was a crowd round the door when the officers were there—I did not see Simpson in that crowd—I asked some person in the crowd to go and fetch me a sheet of writing paper—I do not know whether it was Simpson whom I asked to fetch it, and who brought it—a great many people flocked into the house—I cannot say who it was that brought it—the officers were not in the house when I told Simpson to take away the furniture—they had gone about a quarter of an hour—I cannot say whether, up to the time of Simpson's being taken into custody, I had mentioned to the officers that he had any thing to do with that room—I did to the Magistrate, after he was in custody—I never was asked, and did not mention his name at all before he was taken—I did not know where he had gone to live from my house—Buckeridge-street is about thirty yards from my house—I do not know where Simpson was taken—I know Banks, who kept a lodging-house—I never knew that Simpson slept there—it did not occur to me, when Simpson came to the house a quarter of an hour after the officers left, to go to the station-house, and say, "Here is a person who lived in that room occasionally."

MR. ELLIS. Q. You took 10s. from a person to replace your door? A. Yes—it was not Carter's door, it was the door belonging to the adjoining room—the officers had made a mistake, and broken that door—I was not at home at the time it was broken—Carter's door was not broken, the staple

was drawn—I saw the person who gave me the 10s. again on the day I saw Carter—I saw Mr. Powell in Lincoln's Inn-fields—I went there with inspector Penny and another—I told the Magistrate I knew Carter by the name of William Carter.

COURT. Q. How soon after the officers came were you prevailed on to accept the 10s.? A. It might have been two or three days—it might have been the next day—the officers came on Friday—I do not think I had it before Monday.

MARY DONOVAN. I am single; I get my living by needle-work. I live in the second floor back-room, at No. 10, Carrier-street, next to Carter's room. I have lived in the house since the 24th of October—I know the two prisoners by sight—I slept in my room on the night of Thursday, the 14th of May—the next morning, about nine o'clock, I heard the two prisoners speaking in Carter's room—I was acquainted with their voices—I heard them speaking for a few minutes—before the officers came I went down stairs, and saw the two prisoners going down stairs before me—I saw them come from their own room—they went out at the street-door.

Cross-examined by MR. CLARKSON. Q. Who employs you in needle-work? A. The neighbours and any other person—I never slept in the second-floor front room—I never was in bed in that room—I was in the room the day the officers broke open the door, but never before—the prisoners have never been in my room that I know of—I am not in the habit of going out of a night—I keep regular hours—I may have slept out at a friend's house—I am not in the habit of sleeping out more than once a month—I have no relations in town—I have been in London ever since last May—I am twenty-three years old—I never was in that front room, nor Simpson with me in mine—he never promised me a handkerchief—I never knew him more than by seeing him in and out—the last job of needle-work I had to do was shirts, for a lodger named Bradbury—that was the week before last—I have been married—my husband is dead—I heard he was dead last November—I left him in Ireland, and came to look for my living here—I had had no quarrel with him—I have no family—I separated myself from my husband last May twelvemonth—I had been married two years before.

Cross-examined by MR. JONES. Q. What part of Ireland do you come from? A. Carrigneneelagh, in Cork—my husband was a farmer, but had given up his farm when I left him—I left him stopping with his friends—no man in particular came with me—I never received any present from Simpson—I only knew him by the name of Butcher—I never went out with him—I slept out once at a cousin's, named Driscoll, at White-chapel.

Q. What did you mean by swearing you had no relations in London? A. He asked me if I had cousins, I said I had not—they are only relatives—they are not my cousins, they are second or third cousins—I cannot tell the relationship exactly—I swear they are relatives of mine—they are brother's children to my grandfather—I do not call them uncles—they are bricklayer's labourers—I have only been to see my cousins twice since I have been in London—I slept once at a neighbour's, in Monmouth-street and in Drury-lane, but nowhere else.

MR. ESPINASSE. Q. Do you know what relative cousin is, in England? A. No.

GEORGE JOHN RESTIEAUX (*police-constable E 49.*) I apprehended

Simpson on the 24th of May, in Buckeridge-street, St. Giles's—he called to one of his companions, and said, “It is for *Billy's* case.”

MR. JOHN FIELD. I am inspector of coin to the Mint—these are plaister-of-Paris moulds intended for the casting of counterfeit sixpences, they have never been used—these spoons are Britannia metal; it is the metal usually employed for making counterfeit coin—the metal in the pipkin appears to be of a similar description—I was present at the examination of Simpson before the Magistrate—this deposition is signed by Mr. Crouch, the magistrate.

Cross-examined by MR. JONES. Q. You see that his signature is struck out? A. Yes—I saw it handed across the table to him—I believe this to be his writing—I cannot undertake to swear that this is the paper I saw him sign—I was present at the time. (*This deposition was not read.*)

MR. CLARKSON to JOSIAH HANCOCK. Q. Do you know whether Donovan is single or married? A. I never knew her to be married—two of the single women had a room to themselves, the first floor front—Donovan slept in her own room, by herself.

CARTER—GUILTY. Aged 24.—Transported for Seven Years.

SIMPSON—NOT GUILTY.

1718. CHARLES WESTON was indicted for feloniously uttering and putting off a certain forged order for the payment of 20*l.* 9*s.*, well knowing it to have been forged, with intent to defraud Benjamin Robinson.

HENRY AGATE. I am clerk to Benjamin Robinson, of Little Britain. On Monday, the 15th of June, I saw the prisoner there about ten o'clock in the morning; he had a written paper which he gave to me—he said he wanted the money for a horse that was sold in the name of Bristow, which was the name of the person the horse belonged to—he did not say who it belonged to, nor to whom it was sold—I read the order—I was proceeding to pay him for the horse, and observed another clerk was paying the brother of the owner, for the same horse—I observed it was a horse of the same colour and the same price—the account was lying before me—I said to the prisoner, “There must be some mistake here, who gave you this order?”—he said, “Mr. Bristow, I came from him”—Mr. Bristow, who was receiving the money for the horse, said, “What sort of a man is my brother?” he said, “He is a man rather shorter and stouter than you”—Mr. Bristow's brother said, “I have only left my brother half-an-hour, there must be something wrong in this”—the prisoner then said, “No, it was not Mr. Bristow sent me, it was a person I have seen once or twice, named Hooper, that sent me, and I am to meet him at the Post-office, or the Rummer tavern, to receive the money”—another clerk went with him to the Post-office—that was all that passed in my presence—I kept the order in my hand—Mr. Bristow drew upon us—we sold the horse for him—Mr. Robinson had received the money—I gave this order to the officer.

SILAS BOREHAM. I am one of the clerks to Mr. Robinson. On the 15th of June, Mr. Bristow's brother came for the money for a horse which we sold on the Thursday previous, belonging to his brother—I was paying him—the prisoner presented the order to my fellow-clerk—in consequence of this occurring, it remained unpaid until after the investigation—I went to the Post-office with the prisoner, but did not find Mr. Hooper there—I saw no one there that spoke to the prisoner, or that the prisoner spoke to.

THOMAS BRISTOW. I am a cow-keeper, and live in Oxford-market.

This order is not my writing—the signature is not mine—it is not my brother's—I have no brother named Richard.

Cross-examined by MR. PHILLIPS. Q. Did you go to the London University Hospital? A. Yes—I saw a person there whose name, they said, was Hooper—I believe he was the same man that spoke to me after the horse was sold at the hammer—I believe Hooper was asleep when I got to the hospital, his eyes were shut—I understood that he had cut his throat—I brought this letter with me, which I took to the hospital to show to the man, but he was asleep and I did not—it was read to me—it was taken by a person who went with me to see Hooper, but he did not go into the sick man's ward with me—I do not know whose writing this order is.

(*Order read*)—"To Mr. Robinson, Repository, Little Britain,—Please pay the bearer the balance for grey horse sold by you for 22 guineas.—RICHARD BRISTOW.—21, Silver-street, June 16, 1840."

JAMES PACKER (*City police-constable, No. 257.*) I produce the order, which I got from one of Mr. Robinson's clerks.

Cross-examined. Q. You went to the Hospital? A. Yes—I saw Hooper in his bed—he had cut his throat—Mr. Bird read the letter to Bristow—I went to the Hospital a second time, and saw the sick and dying man, David Hooper, sign this paper—(*looking at one*)—I could not see much of his throat—he was lying high—he was in a most disabled state.

COURT. Q. You saw this signed by Hooper in his bed? A. Yes—I attested it, and Richard Bird, the house-surgeon, also signed it—he could speak very low—the surgeon would not allow him to speak much—he appeared very bad.

NOT GUILTY.

Sixth Jury, before Mr. Sergeant Arabin.

1719. FRANCIS LOUIS HOLLY was indicted for stealing, on the 12th of June, 1 coat, value 4*l.*; and 1 handkerchief, value 2*s.*; the goods of John Lowcock; to which he pleaded

GUILTY.—Transported for Seven Years.

1720. WILLIAM PILLOTT was indicted for forging and uttering a warrant for delivery of goods, with intent to defraud Jean Baptiste Le Blanc.

JEAN BAPTISTE LE BLANC. I am a wine-merchant, and live in Lower Thames-street. I did not know the prisoner till the 16th of May—on that day he met me at the London-docks—he said he came from Mr. Blundell (who I knew very well—he is an egg-merchant)—I let him have 7*l.* on a bill of lading, which I thought was genuine—he told me it was good, and asked me to let him have 7*l.* on it—this is it—(*producing a bill*)—I found the same night that it was not a genuine bill—I saw the prisoner indorse this bill.

SAMUEL PERKINS. I live in Cannon-street-road, and am Captain of the *Matilda*, in the London Docks. This order refers to the ship, called the *Two Brothers*—I do not know such a vessel—I was at Bourdeaux on the 15th of April—I did not know any such vessel as the *Two Brothers* there—there was no such vessel lading for London, or any port of England—I do not know that there was such a vessel there.

Prisoner. Q. When you were at Bourdeaux, you do not know whether there was a French ship coming to London? A. When a ship is lading, it is always known to the brokers, and I should have known it.

THOMAS SEDGWICK (*City police-constable, No. 549.*) I produce the bill of lading, and the warrant—it is for the delivery of goods, and was passed over to Mr. Le Blanc for his advancing 7*l.*—the bill of lading is for wine, brandy, and spirits, on board the *Two Brothers*, from Bourdeaux, bound to London—it is indorsed by the prisoner—I have made inquiry at Lloyd's, and at the Custom-house, and no such ship has been known there for two years—there is no wine-merchant of the name of Lambert at Bourdeaux—I found on the prisoner one bill of lading for Liverpool, and two blank bills, not filled up—he was going to Liverpool, and that was why he borrowed the 7*l.* from the prosecutor—I found on him a number of letters, which I produce.

JEAN BAPTISTE LE BLANC *re-examined.* I never got my wine for this bill of lading.

Prisoner's Defence. I have received from Bourdeaux one letter from Mr. Lambert, when he sent me what you see—here is the letter—when I received this letter on the 19th of April, I showed it to two friends—I said I would go and receive money on this; I went fifteen or twenty days, and waited for the ship; it did not come; I then went, and asked Mr. Blundell to lend me 6*l.*, and I would send it him back when I came back from Liverpool; I then went to Mr. Le Blanc; he gave me 7*l.*, and I left him the bill; I thought it was very good; when I came last time, I brought forty cases of Bourdeaux, and other things; this is the letter from Mr. Lambert, and I have received the bills with the greatest confidence.

GUILTY.—*Recommended to mercy by the Prosecutor.*
Transported for Seven Years.

1721. JANE IMBERT and MARIA LEWIS were indicted for stealing 15 yards of ribbon, value 9*s.*, the goods of Rebecca Holmes.

WILLIAM JOHN LUCKING. I am in the employ of Rebecca Holmes, who is single, and lives at Hackney. On the 12th of June, the prisoner Imbert came to the shop, and asked for some ribbon—shortly after Lewis came in, and looked at some mouseline-de-laine dresses—she took up one, but it was too dear for her—I showed her some others, which she did not approve of—she bought some other things—the prisoners were near one another—I suppose Imbert was in the shop half-an-hour after Lewis had left—I found that Imbert had not made a purchase—I asked her if she wished to purchase—she said, “Yes,” and described a ribbon that her sister had had before, but it was a ribbon we never had—she then made an apology, and left without buying any thing—I followed her, and found the two prisoners just joining one another on the pavement, and conversing—they turned round and walked up Clapton together, talking—I met a policeman, and on overtaking them, Lewis said that Imbert was just telling her how she had been treated in the shop—I told them I suspected they had something—Imbert said she was perfectly willing to be searched, which she was—nothing was found on her, but this ribbon was found under Lewis's arm, by the policeman—it is my mistress's—(*looking at it.*)

Cross-examined by Mr. PAYNE. Q. How do you know this ribbon? A. By the pattern—I have had it in my hands many times—the private mark has been torn off—I am sure about it—I had seen ribbon of this kind in the shop within two days—a great many persons had been there within the two days.

COURT. Q. When your attention was drawn to it, did you miss this ribbon? A. Yes—it was known to be in the drawers just before.

MR. PAYNE. Q. But you had not seen it within two days? A. I do not know that I had—I had not sold it—there are three other persons in the shop—they are not here—Lewis was in the shop from ten to twelve minutes—she came after the other, and went away before her—she bought some Scotch cambric.

Cross-examined by MR. HORRY. Q. Imbert was some time there? A. Yes—she sat there when Lewis came in, and after she went away—she said she had come with the intention of buying, but could not please herself.

JAMES FINN. I am a sergeant of police. I saw the prisoners walking close together—they were apparently talking, and seemed to know each other—I came up, and the witness charged them from their conduct in the shop—Imbert said I might search her, and Lewis said the same—she lifted up one of her arms, and a part of her shawl—I took up her other arm, and took this ribbon from her—Imbert had 1s. 2d., and Lewis had 7½d.

IMBERT*—GUILTY. Aged 19. }
LEWIS*—GUILTY. Aged 19. } Transported for Seven Years.

1722. JANE STYLES and GEORGE HYATT were indicted for stealing, on the 14th of June, 1 purse, value 1d., and 15 shillings, the goods of Thomas Woodward.

THOMAS WOODWARD. I am a miller, and live at Uxbridge. On the 14th of June, I was at the White Hart public-house, at Northall, between nine and ten o'clock in the evening—I was tipsy—I had a purse in my pocket, containing 15s.—the prisoners went in at the time I did—they were strangers to me—I cannot say whether Styles spoke to me—I know my money was safe when I was at the public-house—I fell asleep, and when I awoke my purse was gone, and I have not found it since.

THOMAS PEARTON. I was at the public-house—I remember the prosecutor coming in—he was rather the worse for liquor—the prisoners came in with him—the prosecutor laid his head on the table, but before that he took out his money, threw it down on the table, and put his hat upon it—he had asked the landlord to bring him some beer—the landlord refused, because he was tipsy—he said, “Do you think I have got no money,” and pulled his money out—the prisoners sat one on one side of him, and the other on the other—while he was asleep, I saw Styles shake him and try to awake him—he was very tipsy, and took no heed of it—I saw Styles take the purse, and put it below the table, slip the ring, and take the money out—I cannot tell whether Hyatt saw what was done or not—I am sure I saw Styles do that—the prosecutor continued asleep—the prisoners had left and went away together, in about ten minutes after Styles took the money, leaving the prosecutor asleep.

SAMUEL JONES (*police-constable T 152.*) About half-past nine o'clock that night, the landlord called me in, and said the prosecutor came for a bed, and he did not know whether to let him have one—the witness Pearton told me what he had seen—I found the prisoners in a hay-loft, about an hour afterwards—I found 2s. 3d. on Hyatt, but nothing on Styles—the purse has never been found.

WILLIAM HAWKINS. I keep the White Hart public-house. I called

the officer, and told him what I had heard—the prosecutor came into the house, and I refused him beer—I saw the prisoners come in with him.

STYLES—GUILTY. Aged 27.—Confined Six Months.

HYATT—NOT GUILTY.

1723. **JAMES HODGE** was indicted for stealing, on the 16th of June, 18 brass handles, value 6s., the goods of David Boobyer.

MR. PAYNE conducted the Prosecution.

JOHN VAUGHAN BARBER. I am shopman to Mr. David Boobyer, of Stanhope-street, an ironmonger. On the morning of the 16th of June, the prisoner came for four bed-casters—I believe he paid one of my fellow-shopmen for them—I observed him standing near the counter, and watched—I saw him put his hand down under the counter, take up a parcel under his left arm, from a cupboard outside the counter, and put it under his coat—I came round the counter, and said, "What have you got there?"—he said, "Nothing"—I said, "What have you done with the parcel you took from the cupboard?"—he said, "What parcel?"—I said, "You took a parcel from the cupboard"—he said he had not—I went to turn him round, and saw the parcel on the counter—I am sure it had not been there before—I got his address from him.

GUILTY—Aged 16.—Judgment Respited.

1724. **BRIDGET COCHRANE** was indicted for stealing, on the 3rd of June, 1 coat, value 7s.; 1 pair of trowsers, value 4s.; 1 waistcoat, value 4s.; 1 shirt, value 3s.; and 1 handkerchief, value 2s.; the goods of Dennis Mullins.

MICHAEL MULLINS. I am ten years old, and live with my father, in Dyott-street, Seven Dials, in the three-pair back-room—I had the key of the room, and I opened it, and went in, about half-past three o'clock in the afternoon on the 3rd of June—I was eating a bit of bread and butter, and had left the room-door open—the prisoner came in—I had not seen her before—she said she would play with me, but instead of playing with me, she tied me with a rope to the bedstead—she then broke open my father's box with the poker, and said if I made a noise she would kill me—she took my father's clothes out of the box, and went down stairs with them—she did not untie me before she went—I was tied there from half-past three o'clock till half-past seven, when my father came home.

Prisoner. I lived with the man for nine months, and gave him money to buy these things. *Witness.* I never knew her before—I am sure she is the person.

DENNIS MULLINS. I rent the three pair back-room, in Dyott-street. On the 3rd of June, at half-past seven o'clock, when I came from work, I found my little boy tied to the bedstead—on Friday, between seven and eight o'clock, we were going to market, and he saw the prisoner going along the street—he said that was the woman that had tied him to the bedstead, and we gave her in charge—the policeman found my clothes in pawn—the prisoner is quite a stranger to me—this is my property—(looking at it)—my box was locked.

Prisoner. There was no lock to the box these nine months; I have been living with him nine months, and the woman in the parlour told the policeman so when he went to her. *Witness.* I have seen her in the street, but she never lived with me.

HENRY CLARKSON. I am a pawnbroker, and live in Greek-street, Soho. This property was pawned at our house on the 3rd of June, by the prisoner, in the name of Ann Mullins.

CHARLES POCOCK (*police-constable F 116.*) I was called to take the prisoner—she denied the theft, and said she had pawned them with the man's consent—on the Tuesday following I found a poker in the room.

Prisoner's Defence. I was coming home; he was standing at the door, and told me to go and pawn them; he was mending his boy's shoes at the time, and if he has not bought new boots for his boy, he has got the shoes on now—he told me to go and get my shawl and whittle out of pawn, which I did—I gave the boy a farthing, and he said, "Thank you, aunt"—he said he must pawn his clothes on the Monday, but I did not pawn them till the Thursday, and I put the money down on the table—I have been nine months living in the same house with him, and the landlady could swear it, if the officer will speak.

CHARLES POCOCK *re-examined.* I could not find where the prisoner lived—the Magistrate sent me to inquire—the woman said that she had seen the prisoner, but she did not say that she lived there—she was remanded by the Magistrate, to bring a witness to prove that she cohabited with the man, and she only brought one who said she had heard so.

GUILTY. Aged 37.—Confined Six Months.

1725. WILLIAM TAYLOR was indicted for stealing, on the 13th of June, 2 pairs of trowsers, value 15s.; and 2 jackets, value 5s.; the goods of Thomas Cox.

ANN COLLINS. I am married. I work as a tailoress for Mr. Thomas Cox—he has two doors to his shop, one in Maiden-lane and one in Southampton-street—about a quarter before ten o'clock in the evening, on the 13th of June, I went in at one of the doors, and I saw the prisoner as I entered—he was at the further door, towards Maiden-lane—I am sure he is the person—I went in, and waited some time talking to the shop-lad, and the lad observed the door open—I saw two jackets being taken out—I ran out at the nearest door to Southampton-street, and saw the prisoner with the things on his arm—I pursued and caught him in Maiden-lane—he struggled and got from me, and then went on—he threw the clothes down, and another person came and took them up—I took him in Tavistock-street—he made no resistance—he trembled greatly—he has hard-working parents, and has borne a good character till now.

JESSE SMITH. I live with Mr. Cox. I saw the prisoner take off the table, which was in the middle of the shop, two pairs of trowsers and two jackets—he went away—I took up the things in the street—these are them—(*producing them.*)

Prisoner's Defence. I heard some person call, "Stop thief," and the good lady came, and gave me into custody—I am innocent.

ANN COLLINS *re-examined.* When I came to him the second time he said he was not the person, but I am confident he is.

GUILTY. Aged 20.—Confined Six Months.

1726. JAMES FLATTERY was indicted for stealing, on the 10th of June, 5 mats, value 5s., the goods of Vincent Robinson.

WILLIAM HARDING. I am employed in the shop of Mr. Vincent Robinson, an India mat-maker, in Welbeck-street. On the 10th of June I

was returning to the shop, and saw the prisoner take these mats, and walk away—he was in liquor, and used ill language—these are my master's mats.

GEORGE ROGERS. I am a policeman. I took the prisoner—I cannot say that he knew what he was about; he could walk.

(The prisoner received a good character.)

GUILTY. Aged 25.—Confined One Month.

1727. JOSEPH VANNER was indicted for stealing, on the 13th of June, 1 cap, value 6d., the goods of Henry Bakewell; and that he had been before convicted of felony.

HENRY BAKEWELL. I live in Church-street, Bethnal-green, and am a hatter. Last Saturday morning I had five caps placed on a hat-box at my door—I went out, and saw the prisoner walking on with a cap on his head—I went and took him with the cap on him—this is it—(*looking at it*)—it is mine—he had no right to have my cap.

Prisoner. I bought the cap of his wife the day before—I gave her 1s., and she gave me 6d. change—he wanted me to pay for it again, and I would not—when the officer came I took 1s. out to pay for it, and the woman did not recollect any thing of the kind. *Witness.* We had not sold such a cap the day before.

ELIZABETH AGGAR. I live in Church-street. On that morning I was looking out of my mistress's window, which is opposite the prosecutor's—I saw the prisoner go to the prosecutor's door, reach, and take the cap from a stand—he put it under his coat, and then on his head—I went and told the prosecutor.

Prisoner. She said before, that I crossed and took it from a board, and now she says from a stand—I had been to her mistress's shop to breakfast, and was crossing, and combing my hair—I dropped my cap, I picked it up, put it on my head, and went on with it.

GEORGE KEMP. I am a policeman. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—he is the person, and I have had him since that—he is the most infamous thief I ever knew in my life.

GUILTY. Aged 17.—Transported for Fourteen Years.

OLD COURT.—*Tuesday, June 23rd, 1840.*

First Jury, before Mr. Sergeant Arabin.

1728. FRANCES WRIGHT was separately indicted for unlawfully obtaining goods, value 1l. 1s. 7d.—16s. 8d.—and 9s., by false pretences; to all of which she pleaded

GUILTY. Aged 21.—Transported for Seven Years.

1729. WILLIAM BRAND was indicted for stealing, on the 15th of April, 1 mare, value 10l., the goods of William Davis.

WILLIAM DAVIS. I am a stable-keeper, and live in Plough-yard, Carey-street. On the 15th of April I had a grey mare stolen out of my stable—she was in the stable at five minutes after twelve o'clock the night before, and was stolen in the night—I had not locked the stable-door, but she was tied up—the prisoner had been in my service as a cab-driver, and left about a month before—he had heard me talk of the

value of the mare, and state that she was worth 20*l.*—I found her at Romford-market, in the possession of Thompson.

Prisoner. Q. What time did you miss her? A. About five minutes after six o'clock on the morning of the 15th.

WILLIAM THOMPSON. I live at Pleasant-place, North-street, White-chapel. On the 15th of April I was at Romford, and bought the grey mare of Cook—the prosecutor claimed it.

JOHN COOK. I am a greengrocer, and live in Pleasant-row. I was at Romford-market on the 15th, and saw the prisoner with this grey mare for sale—he asked me if I would purchase it, and asked me 6*l.* for it before I saw it—I gave him two guineas for it—it was in a very low condition, and not worth more—he pressed me to make an offer for it—she might be worth 10*l.* to any man that wanted her, but would not fetch it in the market,

Prisoner. Q. Did not you tell three parties that if I gave you a sovereign, you would settle it? A. No.

JAMES REGAN. I am a policeman. I took him into custody.

Prisoner's Defence. I have been in the cab line, and I dealt with this man before. When I was taken to Hatton-garden I told them who I bought the horse of, and the man was apprehended. I made a *swap* with him, and the man was taken, and turned evidence—I gave him a pony, and took 3*l.* The man I bought it of lived with the prosecutor before.

JOHN COOK *re-examined.* He did not tell me that he had bought it.

GUILTY. Aged 23.—Transported for Ten Years.

Before Mr. Justice Parke.

1730. JAMES BROWN was indicted for unlawfully, maliciously, and feloniously assaulting John Allen, on the 10th of May, and stabbing and wounding him in and upon the left side of his chest, with intent, in so doing, feloniously, wilfully, and of his malice aforethought, to kill and murder him.—2nd COUNT, stating his intent to be to maim and disable him.—3rd COUNT, to do him some grievous bodily harm.

MESSRS. CLARKSON and ESPINASSE conducted the Prosecution.

JOHN ALLEN. I am a turner, and live in Phoenix-alley, Long-acre, sometimes. On Saturday night, the 9th of May, or Sunday morning, about half-past one o'clock, I was in Phoenix-alley—I saw a disturbance at the door of the house No. 6—the prisoner was standing at the door, trying to force his way in—Mr. and Mrs. Batchelor were speaking to him—I told the prisoner to go away—I went into the passage to eject him—it was not Mr. Batchelor's house—it was Mr. Jones's, who is a relation of mine—I endeavoured to get him out of the passage, and succeeded—he dragged me into the alley with him—we then went into the street, and had a fight—I fought with him—he struck me first, in the alley—we fought till we got to the bottom of the court—we then got into Hart-street—we fought in Hart-street—we were fighting all the way from the court into Hart-street—we fought five or six minutes in Hart-street—I then felt an uncommon blow, which I never felt before, in my left side—I then felt sick and swooned—that blow was given me by the prisoner—I afterwards found myself in Charing-cross Hospital—I was stabbed in my side twice—I had not known the prisoner before—I was in the hospital five weeks.

Cross-examined by MR. PRENDERGAST. Q. Where did you see the

prisoner at first? *A.* At the passage-door, forcing his way in—he had not got up the steps when I saw him—he said nothing to me about any body having robbed him—I did not hear him say so—he said he wanted a female—I live at this house sometimes—I live at different places, sometimes at one brother's, and sometimes at another—I visit different houses of my own family—my father-in-law lived in this house—he married my mother, I believe, but I cannot be answerable for that—I get my living by hard work—I am a turner—I worked at a broker's shop last—that was about twelve months ago—that was the last work I did, except little odd jobbing, portering, and such like—I cannot mention any person for whom I have carried a load in the last twelve months—I have not lived in Phoenix-street all the twelve months—I have sometimes lived in Weston-street, Somers-town—I cannot exactly tell you the number, nor what I was doing—men and women are received at the house in Phoenix-alley—I had not been in the house at all before I saw the man in the passage—I had just come home—I was going to sleep in the house—I cannot tell whether the prisoner had been into the house—I did not hear him say he had been robbed in the house, and wanted to see somebody there—I did not hear him say he had been with some girls in a room there—we were fighting all the way down the alley into Hart-street—sometimes he went first, and sometimes I—we went backwards sometimes—I followed him—I could not see any body else strike me—they might—I saw no weapon in the prisoner's hand.

MR. ESPINASSE. *Q.* At the time you were fighting, did any other person strike you? *A.* Not to my knowledge—my step-father and mother's name is Jones—they live in the house, and she passes as the wife of Jones—I have been unfortunate in business, and since that I have been supported by the different members of my family.

ANN TAYLOR. I am a girl of the town. I was in Hart-street on Sunday morning, the 10th of May, about half-past one o'clock—I saw Allen and the prisoner there fighting—I had a good opportunity of seeing the prisoner—he had a knife in his right hand—I saw him stab Allen twice with the knife, and throw the knife in the street—I went to look for a policeman, but could not find one, and came back again—one came up afterwards—I saw the policeman take up the knife—it was a little bloody on the handle.

Cross-examined. *Q.* How long after you had seen the fight was it? *A.* I should say about half an hour, but not longer—I had left the spot, and came back again—I do not know what time in the morning it was—sometimes I live at No. 13, Stacey-street, and sometimes in Leg-alley, near Phoenix-alley—I have no regular lodging—I have seen Allen sometimes—he is no particular acquaintance—I sometimes go to No. 6—when I saw the knife I did not say, “He has got a knife in his hand”—I saw him stab Allen twice—it was not a clasp-knife, it was a long knife—I saw the handle and the blade—the handle was not in his hand when he threw it away—he had it in his hand about two minutes after stabbing the man, and then threw it away—I did not pick it up—I went away, and in half an hour the policeman showed it to me—when I saw the knife I said, he ought to be ashamed of himself—I went as far as Long-acre to look for a policeman, and turned back again—I was servant at the house in Leg-alley a few months ago—I lived once in Phoenix-alley.

MR. ESPINASSE. *Q.* Had you an opportunity of seeing the spot where the prisoner threw the knife? *A.* I did not particularly notice it, but I

know where it was thrown—I told the policeman where it was thrown, and saw him take it up—this is the knife—(*looking at it.*)

MR. PRENDERGAST. Q. Do you mean to swear that this is the identical knife? A. This is the knife he had—as he held it in his hand in a particular way I could see the handle—it was not very dark—there was a light close by.

RICHARD OLDHAM. I am a waiter, and live in Eden-street, Regent-street. On Sunday morning, the 10th of May, I was in Hart-street, about half-past one o'clock—I saw the prisoner and prosecutor fighting—after fighting two or three rounds, the prosecutor fell very heavily on the ground and I picked him up—he seemed insensible—I supported him in my arms, and while he was in my arms the prisoner tried to strike him two or three times—I took him to the door of No. 6—the prisoner and another man after that ran after me up the court into Long-acre—the prisoner did not complain of any thing—I afterwards went to the station-house with the prisoner—he made no complaint there.

Cross-examined. Q. Where are you waiter? A. I am not in service at present—I was in service about two months ago at the Feathers public-house, Hart-street—I am sometimes in Phoenix-alley—I know several persons there—I have been to No. 6 sometimes—I know the people there—I was passing through Hart-street when this occurred—I know Allen quite well—I have slept in Phoenix-alley sometimes—I have lodged there—I believe No. 6 is a house where men and women are received—I have slept there—I know it is a house for men and women.

(Elizabeth Batchelor and Henry Batchelor did not appear.)

WILLIAM HOWARD. I am a policeman. I was on duty in Bow-street on Sunday morning the 10th of May, and was called by Oldham and saw the prisoner—I saw the prosecutor about five minutes afterwards in Phoenix-alley—I saw that he was bloody about the lower part of the body—I produce the coat and shirt he had on—Taylor pointed out a place to me and I found a spring-knife there which has been produced—the prosecutor had his coat thrown over him—I got it at the next examination—his clothes are bloody—I was at the station-house when the charge was given—I did not hear the prisoner make any complaint—he might have done so while I was gone after a witness.

Cross-examined. Q. Was the prisoner in a state of drunkenness partly? A. He was—he complained of having been very ill-used—I did not hear him complain of having been robbed by any girls—I saw he was bleeding from the left eye, and under the left ear—that on the eye appeared to have been a blow, but I think the ear was an old wound—I did not think it was a cut—the blow on the eye was a cut, and might have been done with the fist—it was the upper part of the eye—it was more like a cut than a bruise—there was another man with the prisoner—I searched the prisoner and found six sovereigns and 9s. 6½d. on him—I did not find any cheque on him, he did not complain of losing one—when I picked up the knife the girl was two or three yards distant from me—she pointed to the middle of the street, and said, “He has thrown the knife there”—I went and found it in a pool of water.

RICHARD OLDHAM (*re-examined.*) After the prisoner ran after me up the court he fell over some wood-work by a public-house, and cut his eye then—I am certain his eye was not cut till he fell.

RICHARD GABRIEL GABB. I am a policeman. I was at the station-

house on the 10th of May when the prisoner was charged with this offence, he made no complaint.

Cross-examined. Q. Did not he say he had been ill-used? A. He was bleeding at the nose—I asked him what was the matter—I could not exactly hear what he said, there was such a noise at the station-house, but he made no complaint to me—he was drunk—I did not hear him complain of being robbed—there was nothing of the sort said about it at the time—I did not see a man named Theakston.

JOHN WOOLCOTT. I am house-surgeon at Charing Cross Hospital. I was there on the 10th of May, when the prosecutor was brought in—I examined him—there were two wounds on the left-side of his chest—one was very trifling, being merely skin deep, the other was more extensive, and over the apex of the heart—it was about a quarter of an inch wide, and an inch or a little more in the whole course—it had glanced downwards from the rib, but did not penetrate the rib—it was such a wound as might be inflicted by this knife—if it had not glanced on the rib, it would in all probability have penetrated into the chest—if it had gone straight in, it would have killed him on the spot—he was in the hospital from that morning till last Saturday week—he was not in a fit state to leave before from the wound—he went out once to come here, but returned again.

MR. PRENDERGAST called

MICHAEL THEAKSTON. I am a coach painter, I now live in Little Drummond-street, near Euston-square. I am acquainted with the prisoner—he is a coach-body maker—shortly before the night in question, the prisoner received a considerable sum of money—I do not know exactly what it was—he showed me a handful of sovereigns, and he had a cheque for 5*l*.—this was on the night in question—we had been down to Phoenix-alley to order some tools—he was going to work in Whitechapel, and happened to meet two girls, and went with them into a house, No. 6, where we stopped three quarters of hour, or an hour—when we came down stairs the prosecutor met us at the bottom of the stairs—he came in at the front-door as we were coming down—the girls were gone at this time—the prosecutor came up and struck the prisoner in the passage directly, without any provocation at all—the prosecutor got out of the house and put his coat off, and he and the prisoner had a fair fight in the alley—they were both stripped, and had a regular *set-to*—the prosecutor seemed to have the best of it right down into Hart-street, then Brown struck out and knocked him down—I picked him up directly, and Allen ran away as hard as he could, and the man after him, and Brown and me after them—I ran after them to have fight too—I had seen the prisoner with the money last, about twelve o'clock, in a public-house—I do not know in what street—it is not far from the alley—after I had run after them, I put my hand into my pocket and found my money was gone—I had lost 9*s*. or 10*s*.—I did not know whether Brown had lost any money until I heard of it when he was searched at the station-house—a policeman took us both—I think it was at least twenty sovereigns I saw the prisoner with, and a 5*l*. cheque—I knew him well—I never saw him with a knife of this sort—we had been to a coffee-shop and had some beef-steaks—I pulled the beef out and asked him for a knife—he said he had not one, and we gave the meat to the girls, because we had no knife—Brown and I worked together in the same shop in Clerkenwell.

MR. ESPINASSE. Q. How long have you lived in Little Drummond-

street? *A.* A month—Mr. West, a porter at the Birmingham Station, keeps the house—I am out of a situation—I worked at Euston-square Station for seven weeks, till last Saturday—I worked for Mr. Regnal, of Whitechapel, before that—the two girls went in with us to No. 6—we did not go to the house and ask for girls—I did not see any of the prisoner's money while I was there—we had been at a public-house near Phoenix-alley for about an hour or more, drinking—we were in two public-houses before that—we had half-a-quartern of gin in the first—we did not stop there, nor in the second—we had some gin there—we had two or three glasses of wine at the third public-house, no gin—I did not see any one besides Allen when I came down stairs at No. 6—I will swear there were not more persons—the servant was not there, that I swear—I do not recollect how Allen was dressed—he had a coat on—I cannot tell what colour it was—I do not know where Brown hit him—after he fell the other man picked him up—it was Oldham—he and Oldham ran away together—Allen ran into the house right up the yard—I did not complain of losing my money, nor did Brown that I heard.

MR. PRENDERGAST. Q. The prisoner did not show you the money in the house—were you in different rooms in the house? *A.* Yes—when he showed me the money in the public-house, the two girls and the landlady were present.

JOHN ORD. I am a gold-beater, and live in Great Wild-street. I saw Brown and Allen scuffling in the passage of the house—it appeared to me that the prosecutor was endeavouring to expel Brown from the house—he shoved him out—they came into the middle of the alley—they then pulled their coats off—Allen threw his into the middle of the alley—a female picked it up—they were fighting all down the alley, till they came to the bottom—Brown then came to me and asked me to see him righted—I told him I had rather not have any thing to do with such things—they went into the middle of Hart-street to have another round, and after adjusting their sleeves they had a round—I saw the prisoner strike—I do not think there was more than one blow in Hart-street—he knocked the prosecutor down—I could not see a knife in his hand—there was a lamp nearly opposite Madame Vestris's stage-door—it was very light—I could see nothing of a knife—there were four persons in the road—Brown, his friend, the prosecutor and his friend, and a sidesman a-piece—there might be a dozen or twenty others in the court—there was nobody in the middle of the road but them four—the people stood in the footpath.

MR. ESPINASSE. Q. Was Theakston there? *A.* Yes—he is the man I call Brown's friend—I did not see him at the time of the scuffle in the passage—I did not see him come out of the house—there are two doors to the house, an outer and inner door—if he was in the house he must have been beyond the door, for I could not see him—the prisoner and Allen were scuffling—Allen goes by the name of Carter sometimes—I did not see any one present while they were scuffling—I saw no knife in Allen's hand—when the prisoner knocked Allen down, Oldham picked him up, and then Allen ran away as hard as he could up the alley into his mother's house—Oldham and Brown followed him—Brown fell down.

HENRY BOYDER ROBERTS. I am an attorney, and live in Child's-place, Temple-bar. I was employed by the prisoner to recover some money—I paid him between 50*l.* and 60*l.* on the Saturday afternoon before

this occurred—I saw him again that afternoon, and paid him 5*l.* more by a cheque—he appeared a man in humble circumstances.

RICHARD GABRIEL GABB *re-examined.* This coat was produced at the second examination of the prisoner on the Saturday—at the time I saw the prosecutor, he had his coat thrown over his shoulder.

JOHN WOOLCOTT *re-examined.* There were two wounds on his body—the slight wound was more to the left side, and higher up, about three inches from the other.

RICHARD OLDHAM *re-examined.* They were not stripped when I saw them fighting together—I think Allen had his coat on when I picked him up—the prisoner had his coat off—whether Allen had I cannot say—I think he had it on when I took him up, and carried him to the house—I did not take him in—he went off by himself, and then the prisoner and the other man ran after me—he showed symptoms of being insensible while I held him in my arms.

JOHN WOOLCOTT *re-examined.* I have examined the prosecutor's clothes—the holes in the waistcoat correspond with the wound on the left-side of the chest, but those on the coat are lower down—I should think the shock of such a blow would cause a man to fall—there would be sufficient loss of blood to cause faintness.

(The prisoner received a good character.)

GUILTY on the Third Count. Aged 22.—*Recommended to mercy.*—
Confined One Year.

1731. JOSEPH FAULKENER was indicted for killing and slaying Charles Hayward.

JOHN TURNER. I live at Islington. On June the 8th, about ten minutes after seven o'clock in the morning, I was at work in Pocock's-fields, and saw the prisoner and Charles Hayward fighting on the grass—I did not know the cause of the quarrel—I saw them fight more rounds than one—Hayward was a little in liquor, but very trifling—it was a fair fight—they fought about twenty rounds—I saw Hayward receive a blow on his chest—the prisoner got hit several times on the eye—I saw the deceased fall in the last round on a lump of hard ground—he received a blow on the right-side of the neck from the prisoner, which made him fall—I think it was the right-side—it was below the ear—I saw him fall down, and strike his head on the ground, at the same round as he received the blow on the neck.

Q. Was he struck down by the prisoner, or did he fall? **A.** They closed and fell—as soon as he got up I saw him put both hands to the back of his head, and say he had fallen on a stone—I did not see a stone there, but the ground was very hard—when he got up he said he had shook hands with the prisoner at first, and he would shake hands with him again—the fight lasted about twenty minutes—the fight ended the fight—I saw the deceased leaning on a person's arm—I saw him about a quarter after twelve o'clock, in a cottage in Pocock's-fields, on a bed—there were lumps of hard clay on the spot where he fell.

Cross-examined by **MR. BODKIN.** I believe the deceased seemed to have the best of it during the greatest part of the fight? **A.** Yes—the prisoner was much hurt over the face, and received several blows on the body.

JOHN PETERS. I am a brick-maker, and live in George's-place, Holloway. The prisoner was under me—on Saturday, the 6th of June, he

owed the deceased 5s., and offered to pay him 2s. 6d.—the deceased took it off the table, and was angry with the prisoner, and used very bad words, and on the Sunday morning he came to my house, and said something—I said, “You ought to have taken the 2s. 6d.”—he said, “No, I will not take it; I will have my revenge or the 5s., if it costs me my life”—on Monday morning I was at work in the brick-field—the prisoner was at work with me—the deceased came up to him about seven o’clock—they had a few words—he had a can of gin—the men asked him for some gin—he said, “No, I can’t do that,” and presently they got fighting—I made them go away to another place—both of them were stripped—then they went about forty yards farther, and had a regular fight.

Cross-examined. A. Did they appear both sober? A. I think the deceased was rather in liquor—the pot-boy looked to me like a wild man in a passion—deceased was the pot-boy—the prisoner had borrowed the 5s. of him when his wife was confined.

SARAH HATCH. I am the wife of James Hatch, and live in Pocock’s-fields. On Monday morning, the 8th of June, the deceased came to my door about a quarter before eight o’clock—he was a pot-boy at a public-house—he did not appear to be ill then—he asked me to get him some warm water to wash himself—I said I had none at present—he asked permission to lay down for an hour—I let him lay down in my house—I saw that he had been fighting—he made no complaint to me—I left him in my cottage while I and my husband went to Smithfield—we returned between twelve and one o’clock, and he was then in the cottage, quite dead—I had left my daughter in charge of the cottage.

MATILDA HATCH. I was left by my mother in care of the cottage—the deceased was lying there—I went to awake him at ten o’clock, and found him alive then—I heard him snore—I could not awake him, nor make him speak—I went to the Swan public-house, and informed his master—I afterwards fetched Mr. Kesteven, a doctor.

WILLIAM BEDFORD KESTEVEN. I am a surgeon. On the 8th of June I went to Hatch’s cottage, and saw the deceased—he was dead then—I did not attend the *post-mortem* examination.

ALFRED LORD. I am a surgeon, at Islington. About ten o’clock on the afternoon of the 8th of June, I went to Hatch’s cottage, and found a man there dead—he appeared to have been dead perhaps an hour—it is impossible to say how long—I examined his body the next day at the workhouse, at Islington—I opened his head and body—he died from extravasation of blood all over the surface of the brain, and between the lobes of the cellular membrane—that might be occasioned by a blow on the back of the neck, or by falling on the ground and striking against a hard substance.

Cross-examined. Q. Do not you think, if the extravasation was caused by a blow, the vessels would have ruptured at the instant? A. That does not follow—the smaller vessels would be ruptured, and they might gradually flow out their contents, which might not be visible for ten minutes or a quarter of an hour—it is impossible to say how long—he might, after receiving the blow, be able to walk to the cottage, and ask leave to lay down—extravasation of blood may be caused by strong passion—I should say, in this case, passion and intoxication were the predisposing causes, but the injury received was the immediate cause.

COURT. Q. Suppose he received a blow in the neck, and fell on a hard

substance, should you rather attribute the death to that than passion? *A.* I should say the effect would be increased by his being in liquor—I found no external mark on the neck, but on cutting through the scalp, there were marks of blows having been inflicted.

GUILTY. Aged 27.—*Strongly recommended to mercy.*
Confined Fourteen Days.

1732. **JAMES APTED** was indicted for stealing, on the 29th May, 46 sovereigns, the monies of Richard Glover, his master, in his dwelling-house.

RICHARD GLOVER. I am a butcher, and live in Bell-street, Edgeware-road; the prisoner was my journeyman. On the 28th of May he went out, about seven o'clock, without permission—he came home in the morning—he remained at my house till between ten and eleven o'clock, and then went out with a bit of meat, and never returned—I saw him at Bow-street next morning—I examined my drawers between two and three o'clock in the afternoon on the Friday, as a policeman gave me information—I missed 30*l.*, and 16*l.* afterwards—it was all in sovereigns—there might be some half-sovereigns—I had counted the number of sovereigns in the bag about a week before, and there were 223—I had taken three out, and on Friday, when I counted them, there were only 190—there were thirty missing—when I went to Bow-street that night I could not see the prisoner—I went home, looked over my book, and found people had paid me 16*l.* since I had counted the money, and I had put that in the bag—the prisoner knew where I kept the money, for he slept with me in the sameroom—we all lived in one room—I found a key in my shop just after he had got up one morning, three or four days before I missed my money—I tried it to the drawer where I keep my money, and it locked and unlocked it—it was not my key—I never saw it till I picked it up in the shop—I could identify some of the sovereigns, if I saw them—I have not seen them since—the policeman has shown me twenty-nine sovereigns—I never saw the prisoner with money—he had no money at all—he had 7*s.* a week and his board and lodging, and he was paid every Sunday—he generally wanted his money before he had earned it—he was very badly off for clothes and money when he came to me—I produce the clothes he came in.

Cross-examined by MR. BALLANTINE. *Q.* When did you count the money? *A.* About eight days before, in the afternoon—he was taken into custody on Friday afternoon, the 29th of May—I will swear it was not a fortnight before that I counted the money—I kept the money in a bag, in a drawer, in my room—I added the 16*l.* just as I took it—I discovered what I had lost before I was told how much was found on the prisoner—I carry on several businesses—if I can buy any thing, and get any thing out of it, I do it—I buy a cow or any thing—I have dealt in other articles, but do not now—when the prisoner was with me I sold cigars—I never sold a pocket-handkerchief in my life—I have sold brandy—I got it from a customer who deals with me—I gave 3*s.* 6*d.* a bottle for the brandy—if any body wants a bottle I let them have it—I do not make a show of it—I do not advertise it—I do not ask people to buy brandy—I have sold it, if they asked for it—nobody has access to my room but the prisoner and my wife—I have no partner.

Q. Do you keep the shop in this place? *A.* It is all on one floor—

one door opens into the two—my wife sits in the room where the money is kept—people who deal in brandy do not come into our parlour—a Jew, named Solomon, frequently came to my shop, and he has been in my parlour when I have been serving customers—he used to come into the shop when I went out—he has never watched the shop, except when there has been any body else present—I have a little boy—Solomon has watched it, to see if a customer came in—he did not serve them—he might go in and tell them I should be back directly—there is an old woman there—she was not a servant of mine, and did not watch the shop between the time of my counting the money and missing it—she might be there, but she was not employed to watch—my wife has been poorly, and she came and did any thing for her.

JURY. Q. Was it foreign brandy you had? A. No, British brandy.

JANE GLOVER. I am the prosecutor's wife. The prisoner lived with us three weeks or a month, until he was taken—he was very badly off for clothing when he came, and said he had no money—he asked me to buy some clothes for him—I bought some things for him, and deducted it out of his wages weekly.

Cross-examined. Q. It is British brandy your husband deals in? A. I do not know—I take a glass when I am ill—there are two sorts, I dare say, but not in our house—Solomon comes across to the house sometimes—the old woman comes when I am ill, and when my husband is out.

JOHN TALBOT. I am a policeman. On the 29th of May I was on duty in King-street, Seven-dials, about two o'clock in the afternoon, and saw the prisoner in a state of intoxication—I took him to the station-house, and found on him twenty-nine sovereigns and 19s. 6d.—I went to him about seven o'clock in the evening—he was not recovered, but knew what he was about—I asked if he knew what money he had when I took him—he said he had no money at all, he knew nothing about any money—next morning, at ten o'clock, I saw him again, and asked him if he knew what money he had when I took him into custody—he said he had 31l. in silver—I asked if he was a master-man—he made me no answer—I then told him I had found out his master—he made no reply.

Cross-examined. Q. What did he really say on the second occasion? A. That he had all that money in silver—he did not say thirty-one sovereigns and silver—I told Glover I had found money on him—I did not tell him how much till he had counted his money—I am quite certain of that—his evidence to-day is true—when I first went to his house, I told him I had taken his young man for being drunk—I told him how much money I had found on him after he had counted his money, not before—he told me there was thirty sovereigns short—I had not told him how much I had found then—I am quite certain of that—I did not know him at all before—I have been to his shop—it is a regular butcher's shop.

RICHARD GLOVER *re-examined.* Here is a sovereign among these, which I have not seen since it was in the policeman's hands; I took it of a man named Taylor, in Queen-street, Edgeware-road—it is a George IV. sovereign, and has two dents on it, one on each side—I received it on Saturday night, the 16th of May—I took 9l. of him—I observed the dent at the time I received it—I put it into the bag and locked it in the drawer.

Cross-examined. Q. You have not seen the money since it was taken from the prisoner? A. I had not had it in my hand—I have seen it in the purse—I did not look at it particularly—the policeman did not tell me

there was a marked sovereign—not a word passed between us about a marked sovereign—I am quite clear of that—my wife slept out of the house while the prisoner was there.

JOHN TALBOT *re-examined*. The prosecutor told me the other day there was a very remarkable sovereign that was marked—I asked him if he should know it—he said yes, and he picked it out himself, and said that was the sovereign.

(The prisoner received a good character.)

GUILTY. Aged 34.—*Recommended to mercy*.—Confined One Year.

1733. TIMOTHY TIFFIN was indicted for feloniously assaulting Louisa Ann Bowden, with intent to rob her.

LOUISA ANN BOWDEN. I am the wife of James Bowden, a tailor, living at Laytonstone, Essex. On the night of the 7th of June, between eleven o'clock and half-past, I was returning home from Stratford, with my sister, Mary Ann Gregory—when we got to Cam Hall-lane, a man came out of the lane, caught hold of my arm, and told me I must give him my money—he had something white over his dress, like a smock-frock, and a handkerchief tied over his mouth, and his hat over his forehead—I never saw him before—I told him I had none—he then asked me who I was—I told him I was a poor woman, and had no money, or I would give it to him—he then stood and frowned at me, and said, all at once, “Well, you may go on”—I ran to the first house I came to, which was the Thatched House public-house, about 100 yards off—they were just shutting up—they opened the door, and a policeman came up—he afterwards brought the prisoner back to me—I knew him again—he was then dressed with something white over his coat, and his hat over his forehead, the same as when he stopped me—I had no money, or I should have given it to him.

Cross-examined by MR. BALLANTINE. Q. You say he laid his hand on your arm, he did it gently, did he not? A. He caught hold of my arm, he did not hurt me at all—his manner was altogether very strange—when I told him I was a poor woman, he stared at me in a very odd way, and told me to walk on.

COURT. Q. He did not attempt to search you for money? A. No.

MARY ANN GREGORY. I am fourteen years old. I went with my sister-in-law on the 7th of June, and was returning from Stratford—I saw the prisoner—he caught hold of my sister's left arm, and asked her for her money, in a gruff voice—I saw him put his hand to my sister—he was dressed with something white over his clothes—a handkerchief over his mouth, and a hat over his eyes.

GEORGE FREDERICK DUCKETT. I was on duty in Cam Hall-lane, on the night of the 7th of June—I saw the prosecutrix there, and from her information I found the prisoner about half-a-mile up the road—I took him into custody—he had something white over his dress—I ascertained it afterwards to be his shirt—it was taken from his back and put over his dress, with the collar cut off, and the bosom cut out—he had tied a white handkerchief over his face—he was sober—I never saw him before—the only part of his features that could be seen were his nose and mouth—I accused him of stopping the two ladies on the road—he denied it at first—I said it was no use for him to deny it, for I had seen it—he then said he would go with me—he said he had only stopped them, and asked them who

they were—I said I had seen a person with a white dress in the road that night, and I knew it was him—I had seen him at the time he stopped the prosecutrix—I was about one hundred yards off up the lane—it was a very moon-light night—I found no money on him—I know nothing of him at all—I believe they know him at Lambeth-street—I found a kind of mole-skin pouch in his pocket.

Cross-examined. Q. You did not find any dangerous weapon on him? A. Not at all—but I believe he had a stick in his possession—there was something in his hand at the time, but I could not tell what it was—he had nothing when I apprehended him—I suppose he had thrown it over a garden-wall—I tried to get admittance, but could not, as the house was to let—I applied twice, but could not get admittance—when I took him he was walking deliberately along the road with his hands in his pockets—I told him he was my prisoner—he turned round, and said, “Me?”—I said, “Yes you are”—he asked, “For what?” I said, “For stopping two ladies on the road”—he said, as he went to the station-house, he was not ashamed of what he had done—I was present when he was examined before Mr. Broughton, and saw Mr. Broughton sign this—this is his handwriting—it was read over to the prisoner—(*read*)—“The prisoner says, All I said to the ladies was, ‘Who are you?’ as we were walking along the road; I made no stop at all; they said they were poor people; I said, ‘Go on,’ and they kept on walking; that is all that passed between us.”

(*Witnesses for the Defence.*)

WILLIAM BOOSEY. I am a miller, and live in Aylesbury-street, Clerkenwell—I know the prisoner; he came originally from Barking, in Essex—I have known him from his youth up to the present time—his character was very high, but I have understood there has been some eccentricities about him lately, some of which I have seen—a forgetfulness—his manner is odd at times.

GEORGE NEGUS. I am a manufacturer, and live at Barking, in Essex, which is the prisoner's native place—I have known him forty years—there has been a great deal of eccentricity, and at times bordering on aberration of mind, but not insanity—he is quite harmless—it is proverbial in the neighbourhood that he is singular, every body knows it.

EDWARD ATKINS. I am clerk at the King's Arms, Leadenhall-street—I have known the prisoner forty years—for the last fourteen years his conduct has been very odd, owing to his losses in trade, I think—he was very well off at one time—he is particularly harmless.

NOT GUILTY.

1734. HENRY LEWIS was indicted for unlawfully, maliciously, and feloniously assaulting Thomas Curtain, and cutting and wounding him on his nose, with intent to maim and disable him.

(The prosecutor did not appear.)

NOT GUILTY.

1735. JAMES BOOTH was indicted for stealing, on the 23rd of May, 1 saddle, value 1*l.*, the property of Edward Rawson Clark.

MR. RYLAND conducted the Prosecution.

EDWARD RAWSON CLARK. I live at Brompton. In May last I had some carriage-horses and harness at Mr. Liddiard's, at Knightsbridge—a man named Matthews was in my service at that time—it was his duty to look after the property I had at Liddiard's stables—in consequence of what I heard, I went there on the 1st of June, to inquire after a pony—I

afterwards ascertained that I had lost a saddle—I have since been shown one, and I recognised it as the one which was in Matthews's care, at Liddiard's—(*produced*)—this is it—I should say it was safe at Liddiard's within a fortnight or three weeks of the time I missed it—I am not quite sure—I cannot positively say as to the date.

STEPHEN LIDDIARD. I am a livery-stable keeper, at Knightsbridge. In May last Mr. Clark kept some carriage horses and harness at my place—Matthews was kept as Mr. Clark's servant to look after the property—I know the prisoner—in the course of May, I had seen him in my yard in Matthews's company—this saddle was safe on my premises on the 29th of May—I am not exactly certain about the day—it was about that time—there was afterwards a person named Rose employed by Matthews to assist him.

Prisoner. Q. You have known me very well? A. Yes, for about fifteen years—I never heard any thing wrong of you till this time.

JAMES ROSE. I am a helper. I was employed by Thomas Matthews, Mr. Clark's servant, to help him for about ten days—I began just before May—I have seen the prisoner in the yard frequently backwards and forwards with Matthews—I saw the prisoner on the 30th of May come out of the yard with a saddle and bridle—he had no authority from me to take them—I do not know what has become of Matthews—I saw him last on the Tuesday morning before the Derby Day.

WILLIAM BESANT. I am assistant to a pawnbroker in South Audley-street. The prisoner came to my master's premises on the 30th of May to pledge a saddle and bridle—I believe this to be the bridle, but this is not the saddle—it was pledged at another place. NOT GUILTY.

1736. JAMES BOOTH was *again* indicted for stealing, on the 30th of May, 1 bridle, value 1*l.*, the goods of Edward Rawson Clark.

JAMES ROSE. Matthews employed me to help him at Liddiard's—while I was helping him I saw the prisoner backwards and forwards in the yard—he came to talk to Matthews—at the latter end of May I saw him go away with a saddle and bridle—he had no authority from me to go away with them.

STEPHEN LIDDIARD. I am a livery-stable keeper at Knightsbridge. I know this bridle to be Mr. Clark's property—I never authorised the prisoner to take it.

WILLIAM BESANT. The prisoner came to my master's on Saturday the 30th of May—he brought a saddle and bridle—he said they were the property of a gentleman who had employed him to pledge them—I wrote down this address which he gave me—“*James Booth, 31, Earl-street, Lisson-grove, for Thomas Matthews, owner and lodger, 15, Brompton-crescent.*”

MR. CLARK. This bridle is mine, and was deposited at Mr. Liddiard's—I never authorized any one to pledge it or remove it from Liddiard's.

Cross-examined by MR. PHILLIPS. Q. What are you? A. A gentleman. I live at present at 15, Brompton-crescent, and at Rose Villa, NOT GUILTY.

1737. JAMES BOOTH was *again* indicted for stealing a gelding, chaise, and set of harness, the property of Edward Rawson Clark; upon which no evidence was offered. NOT GUILTY.

Third Jury, before Mr. Sergeant Arabin.

1738. FREDERICK GRACE was indicted for a misdemeanor.

CATHERINE HAYES. I am twenty years old, and live with my parents at Saffron-hill—my father is a fur-dresser—I had known the prisoner a long time, seeing him pass backwards and forwards—I only knew him by sight—we did not keep company—about a fortnight before this happened he spoke to me for the first time—he spoke to two young girls who were with me first—on Tuesday the 8th of June, I met him in Charles-street—I had an umbrella with me—he did not pay any attention to me—he took my umbrella from me, and went away with it—I asked him to give it me back—he asked me to walk to the end of the street with him, and said if I did he would return it to me, and when I got to the end of the street he gave it to me—he then said he thought he should never see me again—I said I did not care whether he did or not, and he put his arm round my neck, and held the knife in his hand—he had it in his hand all the time, I believe—he did not put it to my neck—he held it to my neck with one arm round my neck—he did not touch me with the knife—I screamed out, and the people came up.

Cross-examined by MR. PHILLIPS. Q. You say you only had an acquaintance by sight with him? A. That is all—I struggled to get from him—he kept the knife in his hand—I was at a public-house once with him in consequence of it raining—we had two 'glasses of rum-and-water between us—he treated me—I have never flirted with him—he has followed me a good deal—I did not think any thing of him—I could not help his walking along the street—I did not wish to drink rum-and-water at his expense.

Q. He poured it down your throat? A. I suppose so—he did pour it down my throat.

RICHARD MOSS. I am a policeman. I heard the alarm about half-past nine o'clock, as if it was a female's voice screaming—I hastened to the spot, and saw the prosecutrix leaning against the wall in a fainting state—I pushed through the crowd, and the prisoner had run away with the knife—after she came to herself, the prisoner was coming up the street on the opposite side of the way—I went over, took him, and asked him what he meant by acting in this sort of manner—he said though he had not murdered her, he would do it if he saw her in any other person's company or speaking to any body—I said he must give me the knife, which he did, and in going to the station-house he repeated he would murder her if he saw her with any body else—next morning I asked him how he came to do it—he said if he had not committed suicide he should have made a job for Mr. Calcraft.

(The prisoner received a good character.)

GUILTY of a Common Assault. Aged 18.—Confined One Year.

1739. DENNIS WALEN and THOMAS JONES were indicted for a misdemeanor.

LAURA ROBINSON. I am the wife of William Frederick Robinson, and live at Walham-green, Fulham. On Monday the 25th of May, I left my house about five o'clock in the evening, and fastened it—I left nobody within—I fastened the parlour window with a bolt, and the glass was perfect—I returned about nine o'clock—I found the parlour window broken open, the bolt had been forced, and the wire-blind forced out of its socket—a writing-desk had been removed, and the lock forced—the persons mus

have entered the house by the window—there is a garden in front—the garden-gate, which fastens by a catch-lock, was opened—it had been shut before.

ADELAIDE MARTHA HALL. I live in the adjoining cottage to the prosecutrix. On the night in question, I was at my window about half-past five o'clock—I saw a boy jump over Mr. Robinson's wall, and saw Walen with the boy—I had seen Walen come into my garden about half-an-hour before, but did not see the boy then—when I saw the boy jump over the wall, I watched at the window, and saw Walen enter the gate, and go down by the side of the house with a red book in his hand, as if he was examining the premises, or had come for orders, but having seen the boy jump over the wall, I thought it could not be so—he came back and examined the window, then returned, and came back again—he then with his shoulder or elbow broke a pane of glass, pushed the hasp back, opened the window, and put in the boy—I cannot say whether Jones is the boy—he walked out of the garden, closed the gate after him, and came to my gate—I came down from my bed-room window, and said, "I must give you in charge"—he said, "What for?"—I said, "For breaking the window, and putting a boy in"—he was taken into custody.

Cross-examined by MR. PAYNE. Q. Where were you? A. At my bed-room window on the first floor—the houses are low—I opened my window and saw him clearly—I saw him go out and shut the gate, and he was talking to some children at my gate—he was a very short time breaking the window—my house joins the prosecutrix's—there are side doors to the cottages—I am quite sure Walen is the man.

MARY ANN WARNER. I live at Walham-green. I was passing Mr. Robinson's house about six o'clock—I saw the man and boy standing at the top of the lane—I am quite sure it was the prisoners—they were about two yards from Mr. Robinson's house—Walen said to Jones, he did not think there was any body at home, because the side shutters were closed—Jones said, he did not think there was.

SUSAN CHAMBERLAIN. I am a bricklayer, and live in the neighbourhood. I received information, and saw Walen running away from Mr. Robinson's house about six o'clock—I followed, and within a short distance of him, I called to Parish to stop him, which he did, and brought him back to Mr. Robinson's—we searched the house for Jones, who I had seen escaping from the back door before, and he was found in the dust-hole.

JOHN PARISH. I live at Chelsea. I saw Walen running, and Chamberlain after him—I crossed the road, and stopped him and took him back to the front garden—Jones came by me all over dust, and I stopped him.

THOMAS ATHY. I am a policeman. I took Walen into custody, searched him, and found a piece of wood, apparently a pencil, in his coat-pocket—I questioned him—he said he would sooner thief than starve.

JAMES SHEPHERD. I am a police inspector. The prisoners were brought to the station-house—I found this red book on Jones—he said he had picked it up—I asked him where he lived—he said, in Foster-street, Sloane-street, Chelsea—there is no such street—I examined the premises, and found a pane of glass broken, and the wire blind forced out at the lower part—with this pencil, which was found on Walen, I could push the latch back and open the window, one end of the pencil being tapered off.

SUSAN CHAMBERLAIN. I am the wife of the witness Chamberlain. I saw Jones come from the dust-hole in the garden, his jacket was dusty.

Jones's Defence. I ran in with that woman with the crowd—she squeezed me up against the wall.

WALEN—GUILTY.* Aged 28.—Confined Two Years.

JONES—GUILTY. Aged 17.—*Recommended to mercy.* Confined Three Months.

1740. JAMES SCOTT and JOHN GOODSON were indicted for a misdemeanor.

ROBERT MAILLARD. I am clerk to an engineer. On Saturday evening, the 30th of May, a few minutes before twelve o'clock, I was passing through Red-lion-street, Whitechapel, and seeing a crowd round Mr. Cox's door, and having previously known Mr. Cox, I went to see what was the matter—I found he had taken a boy, named Carey, into custody for stealing a woman's purse—he was tried in the New Court this morning and transported—after I had got in, a tremendous rush was made at the door, with violent cries of "Let the boy go, what do you want to keep him for?"—Scott was very prominent among them—I held the door to prevent any one from coming in, and he made a blow at me through the glass—he broke the square of glass, and struck me—the blow almost stunned me—I was obliged to leave go of the door, a rush then took place into the house, but I gave Scott in charge, and the policeman took the boy to the station-house—an attempt was made to rescue him—I saw Goodson with the mob, but did not see him do any thing—there were a hundred or a hundred and fifty persons.

Cross-examined by Mr. PAYNE. Q. Did Scott's hand bleed? A. No, but my mouth did—the boy was not in my custody, but I considered that I was taking care of him, as well as Mr. Cox—there were six or eight persons inside the door—Scott came inside when I let go of the door—I did not see him do any thing more after that.

WILLIAM NORMOYLE. I am a policeman. Mr. Cox gave the boy into my custody for stealing a purse—while I had him in custody, a rush was made at the door—Mr. Cox and Maillard tried to prevent their coming in—the two prisoners were both prominent—I left the boy in the care of another person while I went to repel the rush at the door—I saw Miller bleeding at the mouth—he pointed out Scott as the person who had struck him—another constable came up—I gave Scott into his custody for the assault, and took the boy to the station-house—on the way there, an attempt was made to rescue him—one of the crowd called out, "I am d—— if you shall take him"—a rush was then made—another policeman came up who took charge of the boy, while I took Goodson into custody—he was very active in the crowd.

CHARLOTTE EHRET. The boy Carey was taken into custody by Mr. Cox, for robbing me of my purse, and I stood there till he was given into custody—I saw the two prisoners at Mr. Cox's door, and saw a great rush at the window, but I did not see either of them do any thing—Scott was given in charge—I followed the police to the station-house—they were very much beaten and kicked about, but I could not see by whom.

WILLIAM COX. I am an eating-house-keeper. I took the boy into custody, and took him into my parlour—I sent for a policeman, but before one came, fifty or sixty people came round the door—I saw Goodson among

them—he made an attempt to come into the house—I said, “You have no business here, we can do without your assistance”—he said he should come in—I pushed him out, he made a blow at me, but did not hit me—I saw Scott knock his hand through a pane of glass, and hit Maillard in the mouth—the officer took the boy away—I afterwards received a blow from a stick from some person, as I was putting up my shutters.

EDWARD BOREHAM. I was in Mr. Cox’s house, and saw a great number of persons round the door, the two prisoners among them trying to come in—Mr. Cox said, “You don’t come in here”—Goodson struck a blow at him, and I made one at him, but we did not hit each other—the policeman came and took the boy and Scott into custody—as they were taking them to the station-house, Goodson ran across, and said, “What are you going to do with them?”—the policeman said, “To take them”—Goodson said, “I am d—— if you do,” and tried to get the boy away, and kick up a *row*—there were a great many people attempting to rescue them.

SCOTT—GUILTY. Aged 25. }
GOODSON—GUILTY. Aged 22. } Confined Two Years.

(There were two other indictments against the prisoners for assaulting the police.—See page 879.)

1741. PATRICK HICKEY was indicted for assaulting Emma Moss, with intent, &c.

GUILTY. Aged 40.—Confined Eighteen Months.

1742. HENRY DOLLY was indicted for a misdemeanor.

NOT GUILTY.

1743. HENRY RAWLINSON was indicted for stealing, on the 11th of March, 1 bill of exchange, for the payment and value of 49*l.* 15*s.* 6*d.*, the property of William Hales.—2nd COUNT, for stealing a piece of paper.

MR. LUCAS conducted the Prosecution.

WILLIAM HALES. I am a stock manufacturer, and live in Mansel-street, Goodman’s-fields. On the 11th of March, the prisoner came to my house and brought a card, which I have not got—he took it away with him again—in consequence of what he brought me, and what he stated besides, I let him have the bill in question—he said Mrs. Burnell had sent him for the bill, and I let him have it in consequence of his saying so—he gave me this memorandum—I saw him write it—(*read*)—“Mem. 11th March, 40*l.* Recd. of Wm. Hales, a bill of exchange for 49*l.* 15*s.* 6*d.* Dated 17th February, 1840, at three months. Drawn by G. B. Collins, and accepted by Wm. Hales, for the purpose of discounting the said bill, or the money, minus the discount, to be returned on or before Saturday, the 13th instant.”—Neither the bill nor money have been returned to me since—I did not see him again till he was in custody, on the 1st of June.

MARY BURNELL. I am the wife of Daniel Burnell, a baker, in Houndsditch. Mr. Hales, in February last, gave me a bill of exchange to get discounted for him—I kept it about a fortnight, and not being able to get it discounted for him, I returned it to him—I never by myself, nor by any body, caused the prisoner to go to Mr. Hales to ask for the bill—I never saw him before he was apprehended—he is a perfect stranger to me—we have cards of our business—I gave a card or something to a Mr.

Gapp—I did not desire him to give it to the prisoner—if the prisoner stated he came from me for the bill, it was false.

Cross-examined by MR. JONES. Q. You know Mr. Gapp very well, do you not? A. Yes—I believe my husband had applied to him to raise money for him—I believe I mentioned to Mr. Gapp that Mr. Hales wanted to have a bill discounted, and there was a description of that bill on the card I gave Mr. Gapp—Mr. Gapp told me he thought he could get it discounted, provided the parties were satisfactory—I did not ask him to do so—I agreed that he should try to get it discounted—I gave him the card for the purpose of inquiring as to the respectability of the parties, and for the purpose of getting the bill discounted if the inquiries were satisfactory—my husband was not to have half the proceeds of the bill, he was to have a portion—Mr. Hales promised to lend me 10*l*. if he got it discounted—if Mr. Gapp got the bill discounted, I did not care by whom—he told me he thought Mr. Pursord, a cheesemonger, of Stoke Newington, would discount it—there have been bills pass between my husband and Mr. Pursord before, for the accommodation of both parties—I have heard from Mr. Hales, that when the bill was presented for payment it was in Mr. Pursord's hands—my husband is now in Whitecross-street for debt, and he was so at the time of this transaction about the bill.

MR. LUCAS. Q. Did you ever give the bill into Mr. Gapp's hands? A. No—it was in my possession a fortnight—at the time I returned it to Mr. Hales, all idea of getting it discounted by Mr. Gapp, or any body, was at an end—I had applied to other parties.

WILLIAM STRANKS. I am a policeman. On the 1st of June I apprehended the prisoner at the Green Man public-house, Shackelwell—I told him he was wanted by a person at the station-house, about a bill—he said, “I know nothing about it.”

NOT GUILTY.

NEW COURT.—*Tuesday, June 23rd, 1840.*

Sixth Jury, before Mr. Common Sergeant.

1744. SELINA ELIZABETH REED was indicted for stealing, on the 30th of May, 2 sheets, value 15*s*., the goods of Charles James Cox, her master.

MR. ROE conducted the Prosecution.

WILLIAM EDMUND RUMSEY. I am shopman to a pawnbroker in Marylebone. On the 30th of May the prisoner brought two linen sheets, marked “C. J. Cox, 1840”—I asked who they belonged to—she said they were her own—I asked her how she accounted for having the name of Cox on them—she said they were given her by Mr. Cox, of Waddington-place, and they had been promised her for a long time—I sent to Dr. Cox.

Cross-examined by MR. CLARKSON. Q. I believe she told you first what was not true, and then what was? A. Yes, she afterwards said Dr. Cox lived in Beaumont-street—she said she had incurred a small debt, and she should redeem them on the Monday.

DR. CHARLES JAMES COX. I am a physician, and live in Beaumont-street. I went to the pawnbroker's, and found the sheets, which are my property.

JAMES WHIPPS (*police-constable D 86.*) I took the prisoner—I found on her six duplicates of other property.

(The prisoner received an excellent character.)
GUILTY. Aged 47.—

1745. SELINA ELIZABETH REED was *again* indicted for stealing, on the 12th of November, 1 blanket, value 7s. ; 3 sheets, value 23s. ; 1 sheet, value 10s. ; 2 waistcoats, value 10s. ; and 2 curtains, value 16s. ; the goods of Charles James Cox, her master.

Mr. ROE conducted the Prosecution.

HENRY WINCH. I live with Mr. Walker, a pawnbroker. I produce the articles stated—I do not recollect the prisoner pawning them.

JAMES WHIPPS. I am a police-constable. When I took the prisoner, she gave up a pocket-book containing the duplicates of this property.

DR. CHARLES JAMES COX. This is my property—the prisoner had property to a considerable amount in my house, I should think 25*l.* worth, at least—I think I paid her two quarters' wages while she was with me, and I have paid Mr. Robinson the balance since.

Cross-examined. Q. What are the articles she had in your house? A. She had furnished her own room—she had a bed, and the necessaries for her own apartment; she had a sofa and some chairs in my lumber-room.

GUILTY. Aged 47.—Judgment Respited.

1746. JOHN CAREY was indicted for stealing, on the 30th of May, 1 purse, value 1*d.* ; 1 half-crown, 1 sixpence, 4 pence, and 4 halfpence, the property of Frederick John Ehret, from the person of Charlotte Ehret.

CHARLOTTE EHRET. I am the wife of Frederick John Ehret. On the 30th of May, about twelve o'clock at night, I was in Whitechapel, buying a piece of bacon—I felt a hand trying at my pocket—I turned, and saw the prisoner—I put my hand to my pocket, and my pocket was pulled out, and my purse was gone, in which was a half-crown, a sixpence, six-pennyworth of halfpence, and a small piece of paper, on which was the writing of my husband's employer—this is the purse, and the money in it, and this is the piece of paper—(*looking at them.*)

WILLIAM COX. I am an eating-house keeper, and live in Red-Lion-street. I heard a cry of "Stop thief," ran, and took the prisoner—he acknowledged taking the purse, and said, if I would let him go, he would tell me where he threw it—it was picked up where he stated.

Prisoner. I did not say any such thing. *Witness.* He said he had taken the purse, and if I would let him go, he would tell me where it was thrown—I took his arm, went to the place, and there the purse was found—as I was going home I got kicked in a most violent manner—I have been most awfully insulted since, and had my windows broken.

GUILTY.* Aged 12.—Transported for Ten Years—Convict Ship.
 (*See page 376.*)

1747. THOMAS WILLIAMS and JOSEPH FREEMAN were indicted for stealing, on the 16th of June, 1 handkerchief, value 3s. 6*d.* ; and 1 hat, value 3s. ; the goods of Thomas Greenham, from his person.

THOMAS GREENHAM (*City police-constable, No. 282.*) On the 16th of June I was taking the prisoner Williams into custody on a charge—there was an attempt made to rescue him, by Freeman and others—they knocked me about, and ill-used me—Freeman said to Williams, "Take the b——r's hat off," and Williams took my hat off—I struck him with my staff, and got it again—they got me down a third or fourth time, and then Williams

got my hat again, and handed it to Freeman, who passed it to another person in the crowd—I lost my hat altogether, and my handkerchief was in it—I am sure the prisoners are the persons.

Williams. Q. Do you swear positively that the person made use of that expression? *A.* Yes.

Williams. I had occasion to go up a yard—he came and struck me in the jaws—I made a little resistance, he up with his staff and struck me, and cut my head, and a lot of people came up. *Witness.* I was obliged to cry “Murder” more than fifty times—it was in Brewers’-yard, West-street, Smithfield—I sprung my rattle, and all the thieves came round me; and as for Williams having occasion to go up that yard, I went with two officers, and it was no such thing.

Freeman. I saw a mob of a great many people—I saw the policeman taking a man, and the policeman called out “Murder,” and when I got to the corner of the street the officer took me. *Witness.* Freeman was the man that kicked me most tremendously, and he got hold of my belt which we wear at night—I have never been well since—Williams struck me violently on the head.

Freeman. I have a witness to prove that I was in a public-house at the time the robbery was committed.

(The witness did not appear.)

WILLIAMS—GUILTY. Aged 22. } Transported for Ten Years.

FREEMAN—GUILTY. Aged 21. }

(There was another indictment against the prisoners.)

1748. EDMUND DOWNER and ANN DOWNER were indicted for stealing, on the 12th of February, 1 box, value 5*s.*; 5 gowns, value 30*s.*; 3 veils, value 10*s.*; 2 aprons, value 5*s.*; 3 shawls, value 3*l.*; 5 scarfs, value 3*l.* 10*s.*; 3 handkerchiefs, value 5*s.*; 2 capes, value 10*s.*; 2 collars, value 5*s.*; 2 chemisettes, value 10*s.*; 2 pelerines, value 5*s.*; 3 pairs of cuffs, value 3*s.*; 3 pairs of mittens, value 5*s.*; 3 pairs of shoes, value 10*s.*; 3 towels, value 3*s.*; 2 pairs of ear-rings, value 3*l.*; 4 combs, value 4*l.*; 4 brooches, value 10*l.*; 2 bracelets, value 1*l.*; 2 neck-chains, value 5*l.*; 2 crosses, value 6*s.*; and 2 head ornaments, value 5*s.*; the goods of John Lodge Ellerton.

MR. JERNINGHAM conducted the Prosecution.

FRANCES GODSON. I am lady's maid to Lady Ellerton. She is the wife of John Lodge Ellerton. On the 12th of February I packed up a trunk of her wearing apparel—the articles here produced are part of what I packed up—I saw three boxes put in, which, I believe, contained jewellery, but I did not look inside them—we were going to Brighton, and when we got to Croydon the trunk was missed—I had seen it strapped behind the carriage, and the straps appeared to have been cut—on the 30th of May I accompanied the inspector to a house in Hoxton, and we there found this pink frock, this blonde, a muslin collar, and part of a cape—these were part of the property which had been in the trunk.

Cross-examined by MR. CLARKSON. Q. I suppose there were many valuable things in the trunk? *A.* Yes, a great many, which were not found, and the box is not found.

JOSEPH SHACKLE. I am a police-inspector. On the 16th of April I visited a cottage in Walbrook-buildings, Hoxton—the prisoners reside there—I found Ann Downer on the stairs—I asked if her name was Downer—

she said yes, and her husband was out—I went there with a search-warrant, and found some metal which I was searching for, and brought it away—I then left the woman in care of a sergeant—she was afterwards brought to the station-house—Mrs. Hayward searched her, and brought down these combs and ear-rings, which she said the prisoner had secreted in her hair, and requested her not to say any thing.

(Mr. JERNINGHAM here declined offering further evidence.)

NOT GUILTY.

1749. EDMUND DOWNER was *again* indicted for stealing, on the 26th of January, two sets of harness, value 14*l.*; 3 bridles, value 15*s.*; and 2 pairs of reins, value 6*s.*; the goods of Rowland Thomas.

PHILIP SWINCOTT. I am carman to Mr. Rowland Thomas. On the 28th of January his stable was broken, and these things stolen—on the 17th of April I saw one of the bridles, the rest are not found.

Cross-examined. Q. Was there any thing about the bridle to denote it belonged to your master? A. No.

NOT GUILTY.

1750. EDMUND DOWNER was *again* indicted for stealing, on the 15th of March, 1 umbrella, value 10*s.*, the goods of Joseph Shackle.

JOSEPH SHACKLE. I lost this umbrella in the beginning of March, from New-court, Bow-street—I afterwards saw it in Brannan's hands—I said I believed it was mine.

Cross-examined by Mr. CLARKSON. Q. You have no mark on it? No.

JAMES BRANNAN. I am a police-sergeant. I found this at the prisoner's house, on the 16th of April.

NOT GUILTY.

1751. EDMUND DOWNER was *again* indicted for stealing, on the 10th of April, 1 cloak, value 5*l.*, the goods of John Lodge Ellerton.

Mr. JERNINGHAM offered no evidence.

NOT GUILTY.

1752. THOMAS GRUNSELL was indicted for stealing, on the 10th of June, 2 trusses of hay, value 4*s.*, the goods of William Murrell, his master: and JAMES HOPKINSON, for feloniously receiving the same; well knowing them to have been stolen; against the Statute, &c.

WILLIAM MURRELL. I am a miller, and live at Staines. Grunsell is my wagoner—I sent him to Hammersmith with some flour—he generally took a little hay with him for the horses before they give them water—about twenty pounds of hay is quite sufficient for them to take, and he had his nose-bags besides, with corn in them—he had to go about sixteen miles—he had the care of the hay in my loft—some hay has been produced to me which is very much like mine—there are some mouldy spots in it, where the wet got in—it is the same species of hay, and as far as I can judge, it is mine—he had no right to take it.

Cross-examined by Mr. ADOLPHUS. Q. Where was it made? A. In my meadow—other men's hay may have mouldy spots—it depends on letting the wet in—I do not limit him to two or three pounds of hay—I have looked at my hay since—I find it goes off very fast—there is nothing in the binding or making up of this hay that I can swear to—my hay-binder is not here—Grunsell has been in my service five or six years—I thought him honest.

WILLIAM GRIFFIN (*police-constable T 177.*) On the morning of the 10th of June, at a quarter-past three o'clock, I saw the prosecutor's wagon on Hounslow-heath—Grunsell was sitting in front, driving, and I went

behind, and saw on the tail-ladder that lets down, two trusses of hay, braced on with a cord—I got on the ladder, and saw a small bundle of hay besides—I got off, went to the hedge-side, and cut two green docks—I put one in each truss of hay—I then followed the wagon, and saw it stop at the White Bear public-house—I observed another constable very near that house—I kept at a distance, and in six or seven minutes I saw the wagon leave the house—I then went down, and met the other constable—I spoke to him—I then went after the wagon, and the trusses of hay were gone, and the tail-ladder was fastened up close to the sacks of flour—I went back to the White Bear public-house, and asked the prisoner, Hopkinson, who is the ostler, to produce those two trusses of hay that Mr. Murrell's wagoner had left there—he said he had left no hay there—I said he had, he said he had not—I said, “He has, and you have taken it in”—(this I stated from what the constable had told me)—I asked him where he kept his hay—he showed me a stable, over which was a loft—I went up, and there was from thirty to forty trusses—I said, “If the hay is here I shall be sure to know it, because I have marked it”—I examined three or four trusses, but I could not put my hand on it—Hopkinson then left the loft, and thinking it might be in some other loft, I went round the yard with the sergeant, looked into several stables, but saw no hay—I then went back to the loft, and untied a truss or two, and shortly I found one of the docks in one of the trusses—at that time Hopkinson had left the loft—I called him, and said, “This is the mark I told you of”—I shortly after found the other truss, with the mark in it.

Cross-examined. Q. Were you instructed to look after this wagon?
A. I was not—it was from my own knowledge of the wagon—the driver was sitting in front—he might be asleep for what I know—he did not perceive me—I did not keep a part of the dock in my possession to see if it tallied—I never said that I stuck a dock leaf in, I said a dock—the part that I did not put in the hay, I left where it was growing—the trusses of hay were tied and bound as trusses—I could not readily find the trusses again when they were in the loft—I never observed that there are docks grow in a yard near the stable—there are fields about there—I asked Hopkinson where he kept his hay, and he pointed out the place—the loft was dark—it was about a quarter before four o'clock, and the sun rises about four—it was daylight when light was admitted—there was not light sufficient till I opened the door.

WILLIAM BEECHY (*police-constable T 182.*) I was on duty at Hounslow that morning—I remember the wagon coming up to the White Bear public-house—I passed by, and I saw the ostler coming out with a rack—he went behind the wagon, and then went back with something in the rack—I could not see whether it was a truss of hay or not—I cannot say who gave the ostler that hay—he went back into the yard—the horses were not fed—when the ostler went in with the first I drew nearer to them—there was a wagon between me and him—the ostler came out and went in a second time with a truss in the rack—I could not see who gave it him—I went over to the yard—the ostler came out and said to the wagoner, “What will you have to drink?”—he said, “A pint of beer”—they both went into the house together—I went and looked in the wagon, and saw a bundle of hay in the wagon—I went to the loft with Griffin, and searched—I saw some hay there which he said was just like the hay that had been on the wagon—he then went down into the yard, came up again and found one truss with a dock in it, which he said he had put in, in Staines road—he

told me to call the ostler up, and he said to him, "I have found one truss with the dock in it"—the ostler said, "You have put it in while it has been here."

Cross-examined. Q. How long had your friend been out of the loft before the dock was found? A. He went out into the yard for about seven or eight minutes—it was broad day-light—I could see the dock when the other officer showed it me—there was a window which we opened—the ostler said, "I never put this dock in, you must have put it in"—I examined the other trusses of hay about—they were not like these two trusses—the others had no dock in them that I know of—I did not see the second truss found.

HUGH SANDILANDS (*police-sergeant T 27.*) I went up with Griffin to the loft—he did not find any thing there—I went down with him into the yard—I was with him all the time he was there—he had no opportunity of cutting any dock—he went up into the loft again, and I was present when he pulled the last truss out—he said, "This is it, I have every reason to believe"—the dock was in it—he had no opportunity to have cut that dock in the yard while I was with him—there were no docks in the yard—there were several different sorts of hay in the loft—there were no other trusses like these two to my knowledge.

(Hopkinson received a good character.)

GRUNSELL—GUILTY. Aged 38.—Confined Six Months.

HOPKINSON—GUILTY. Aged 35.—Confined One Year.

1753. JAMES EDWARDS was indicted for stealing, on the 3rd of June, 1 carriage setter, value 20s., the goods of William Reading.

EDWARD HEYLEN. I am servant to Mr. William Reading, of Mortimer-place, Cavendish-square. On the 3rd of June I saw the prisoner walking backwards and forwards, near my master's gates—he then took this setter from out of the premises, and went out—I followed him to New Cavendish-street, and took him—he threw the setter down on my hand, and tried to get away—a man took hold of him—this is my master's setter.

WILLIAM TAYLOR (*police-sergeant S 11.*) I took the prisoner, and have the setter.

Prisoner. It was on the pavement, opposite the next door—I did not know whose it was, or I should not have taken it—I stopped once or twice, and when the witness said it was his master's, I said I would go home to his master's.

EDWARD HEYLEN *re-examined.* It was inside the gates of our premises—the prisoner did not stop—he walked on fast, and kept looking behind—I followed him to try to meet a policeman, and could not—it was at the time our men were gone to tea.

(The prisoner received a good character.)

GUILTY. Aged 59.—Confined Three Months.

1754. THOMAS TAYLOR was indicted for stealing, on the 26th of April, 50 horse-shoes, value 6s., and 10 lbs. weight of iron, value 8d., the goods of Isaac Simmonds; and JANE CLIBON, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.; to which Taylor pleaded

GUILTY—*Recommended to mercy.*—Confined One Month.

ISAAC SIMMONDS. I am a farrier, and live in Upper East Smithfield—I knew Taylor by sight. On the 26th of April, I charged him with stealing some horse-shoes of mine, and he took me to Mr. Whitehead's shop where I saw the prisoner Clibon—I asked if she knew that boy, she said, "No" at first, and afterwards acknowledged she had seen him—I asked if she had bought any shoes of him—she said, "No"—I turned round, saw them, and said, "How can you tell me such a falsity, when here they are, before my eyes?"—I said, "You say you do not know this boy"—she then said, "I think I have seen him before"—Taylor then said, "How can you tell such a falsity? I have been here not many minutes ago"—she then said, "I think I have seen you before"—I said to Taylor, "Tell me the truth, how many have you taken away?"—he said he had taken a great many, and that Welsh, a lad I employed, encouraged him to do it—I said to Clibon, "How is it you can buy so many shoes of boys, without making inquiry?"—I said, "Did he name the name of Simmonds?"—she said, "Yes, I think that was the name"—I found about fifty horse-shoes there, and they are stubbed together with new nails—I understand Clibon is servant to Mr. Whitehead.

Cross-examined by MR. BALLANTINE. Q. You went to another shop with this boy, did you not? A. Yes, and found some of my property there—I know Mr. Whitehead, who keeps the shop where I found Clibon—I found 85 lbs. weight of shoes and iron there—it is worth about 1d. a pound as old iron—I have lost tons of it—I have been losing for the last two or three years—I knew the whole of the shoes that I found—two or three of them had been taken to Whitehead's on the day before.

MOSES MOSES. I live next door to the prosecutor. On the day the prisoner was taken, I saw a lad come out of the prosecutor's shop, with something under his jacket, and I saw a horse-shoe hanging out.

JESSE THROWER (*police-constable H 182.*) I went to Mr. Whitehead's shop—I saw Clibon there—she appeared to be a shop-woman, and to have the management—there was nobody else that I saw—I said, I came about the shoes—she said, "If they are the gentleman's shoes, I will give them up"—she said she could identify the boy who brought them, and said she did not know she did wrong in buying them—she had no book.

Cross-examined. Q. How do you know there was no book? A. I asked her—I have seen Mr. Whitehead since, and spoken to him—I did not ask him about a book—he was not there for two days after—he is no friend of mine.

(Clibon received a good character.)

CLIBON—GUILTY. Confined Six Months.

1755. WILLIAM JONES was indicted for stealing, on the 11th of June, 1 pewter pot, value 8d., the goods of Charles Carlton.

CHARLES CARLTON. I keep the Duke of Wellington public-house, at Spring-gardens. I supply the servants at No. 19, New-street, with beer—(*looking at a pewter pot*)—this has the name of Cole on it—the name of my predecessor—it went from my house on the evening of the 10th of June.

WILLIAM ALLEN. I am servant at No. 19, New-street—I went to the prosecutor's for the beer on the 10th of June, and the next morning I put the pot on the rails inside the area—I saw the prisoner put his hand through the railing and take the pot over the top—I went after him, and had him taken with it.

WILLIAM EVANS (*police-sergeant A 17.*) I took the prisoner with this pot in this blue handkerchief.

GUILTY. Aged 21.—Confined Two Months.

1756. MARY BARDSFIELD was indicted for stealing, on the 13th of June, 1 shawl, value 6s., the goods of Mary Ann Howard.

MARY ANN HOWARD. I am servant to Mrs. Norris, of Wilmot-square, Bethnal-green. On the 13th of June I assisted my mistress in hanging things in the back garden—among them was my shawl—I received information and ran out—my mistress had hold of the prisoner, and I saw my shawl pulled from her—this is it.

THERESA BARKER. I am the wife of Thomas Barker—I was looking out of window and saw the prisoner go in at the prosecutor's gate and run out with this shawl in her hand—when she was taken she begged for mercy, and said she had not broken her fast that day—I am certain she is the person—I saw it pulled from her bosom.

Prisoner. The shawl was not on my arm—it was a hundred yards off.

GUILTY. Aged 27.—Recommended to mercy.—Confined One Month.

1757. JOHN COX and JOHN HOWARD were indicted for stealing, on the 14th of June, 4 pieces of wood, called battens, value 6s., the goods of Samuel Martin Peto and another, the masters of John Cox.

MR. CLARKSON conducted the Prosecution.

HENRY BRADSHAW. I am a watchman in the employ of Mr. Peto and another, on the Blackwall-railway—the prisoner Cox was a mason's labourer, there. On the night of the 14th of June, between nine and ten o'clock, I was watching near Three Colt-street—Howard lives in Three Colt-street, adjoining the railway—there is an archway adjoining his premises—I saw Cox throw several pieces of timber called battens over into Howard's premises—he took them from the archway adjoining—he threw them over a fence, from eight to ten feet high—Howard was at that time in his own yard, and took one of them up—I said, "Halloo, what game do you call this? this game won't do for me"—Howard made no reply, but brought the piece of timber a little way back towards the archway—he went into his own house—I came off the railway down into Three Colt-street—I met Cox and Howard both together—they said they were very sorry for what had been done—I said I should apply to my master and leave him to do as he thought proper—Howard said he was very sorry it had happened, he hoped I would not do any thing in it, or say any thing about it, would I go and take any thing to drink? Cox said he wanted several pieces of sticks to put up the dahlias in his garden—Cox went back into Howard's yard and threw the pieces of battens back again—he came to me and said he hoped I would not say any thing about it any further, as he had put them back again—I told my employer, and then picked up the pieces of wood—these are them.

Cross-examined by MR. PRENDERGAST. Q. Which of them said it was for the purpose of making dahlia sticks? A. Cox—after Howard took up the piece of wood and put it down he went into his own premises—I did not see the first piece thrown over—I saw the second, the third, and fourth—I did not see Howard when the second piece was thrown, but he was in the yard—when the third was thrown he took it up, I saw it in his

hand, I called out, and he carried it two or three yards towards the railway—when he took it up first he was going towards his own house with it, and then he brought it back and left it—I had been standing at the front door talking to Howard, and then Cox went in at Howard's front door—I then went into the archway and saw Cox throw the timber back—Howard was then talking to my employer—Howard is a shipwright.

Cox. What this man has stated is three parts false—I was going to the necessary, and fell over these pieces and hurt myself—I had had a little to drink—I got up, and flung the pieces, as hard as I could, in all directions—this man was as much in liquor as I was, or rather more—he was talking to two women—he said he should not have seen me if I had not made a noise—I was talking to two masons, and Howard came and asked me if I was aware what I had been doing. *Witness.* These pieces were along the archway—I did not see him fall—he was not in liquor—I saw no more boards thrown about—he did not make a noise—I was talking to two women.

MR. CLARKSON. Q. When he said he was sorry for it, and asked you to say no more about it, did he say about his falling over them? *A.* He said so to my master—I did not see any wood thrown any where but to Howard's yard.

HARRISON BOWLES. I am foreman to Mr. Samuel Martin Peto and another. I was at the railway—Bradshaw spoke to me—I saw the prisoners there—Cox said he was very sorry it had happened, and he hoped I would not say any thing about it; and Howard said the same—I told them I could not look over it, I should see further into it in the morning—I went away as if I was going to leave them for the night—Howard followed me, and begged I would take no notice of it—I said it was more than my place was worth—I went round, and got a policeman—these are the pieces of timber—they are my master's property.

JOHN CANTWELL (police-constable K 220.) I took Cox—he said he was very sorry, and that Howard had asked him to get him a few sticks for his dahlias—he was not tipsy at all—I afterwards saw Howard—he said he was very sorry that it had so happened.

Cox. Q. Did I not tell you that I fell over them, and that I threw them out of my way? *A.* No, you did not. **NOT GUILTY.**

1758. *WILLIAM BANKS* was indicted for stealing, on the 6th of June, 8 pence, and 4 halfpence, the monies of Richard Morgan, his master.

ELIZABETH MORGAN. I am the wife of Richard Morgan, who keeps a public-house at Islington. The prisoner was our pot-boy—on the 5th of June my husband marked some money—it was put into the till in my presence—we then went to bed—I went down about seven o'clock, and saw the prisoner lay across the counter, and take some money out of the till, and put it into his pocket—he then went on scouring his counter—I gave him into custody—I saw him searched—eight pence and four halfpence were found on him.

Cross-examined by MR. PHILLIPS. Q. I believe your husband did not wish to prosecute? *A.* No, he wished him to have some slight punishment on account of his good behaviour before—the till was not locked.

LOUISA MORGAN. I saw the money marked, and put into the till.

JOHN WATTS (*police-constable N 181.*) I took the prisoner—he handed out this money to me.

GUILTY.—*Recommended to mercy.*—Confined Ten Days.

1759. HENRY BARTLAND was indicted for stealing, on the 9th of June, 9½lbs. weight of lead, value 1s. 10d., the goods of John Winchester, his master.

JOHN WINCHESTER. I am a plumber, and live in the King's-road, Chelsea. The prisoner was in my employ—some lead was found on him, and I have brought some other to match it—it corresponds in colour and appearance, but lead is so much alike I cannot swear to it—I have a great quantity of lead, and could not miss any.

CHARLES LINGOOD MADDISON (*police-constable B 38.*) I stopped the prisoner on the 9th of June, in a court in Westminster, with a bundle—I asked what he had got—he said lead, which he had brought from Lambeth, where he lived, and had collected it together—he said he was in the employ of Mr. Winchester, in King's-road, and that he was in the habit of giving his men lead like that.

Prisoner. I did not say so; I said it was generally allowed by masters, but my master did not allow it; these are cuttings which I picked up at work.

NOT GUILTY.

1760. GEORGE WILKINSON was indicted for stealing, on the 5th of June, 1 gun, value 3l., the goods of Henry Urch, his master; and John BETTY, for feloniously receiving the same, knowing it to have been stolen; against the Statute, &c.

HENRY URCH. I am a sadler, and live in Long-acre. I had a double-barrelled gun, which I saw safe within a fortnight of the time the policeman restored it to me—I had not missed it—it was kept in the harness-room—Wilkinson was my errand-boy—he had been sent to the room where the gun was, to clean the harness.

Cross-examined by Mr. PRENDERGAST. Q. How long had he been in your service? A. Three weeks—I know him to be an artful boy—he refused to state in what way he got the gun—I am certain he could not get it without assistance from within or without—there were other things missing while he has been there—Betty had not lived with me—I had not seen him that I know of.

CHARLES SUFFELL. I am a salesman in Long Acre. On the 15th of June, Wilkinson came to my house, looked at some clothes, and asked me if I would take a gun in exchange—that he had one given him, and his father and mother said it was no use to him, he should get clothes in exchange—I said if he would bring the party who gave him the gun, I would speak to him—in the evening he brought the gun, and said the gentleman was in the country, and I said, "Bring your father and mother"—he left the gun with me, and was to bring his father or mother on the Saturday—he did not, but on the Sunday he knocked at my door, and asked for the clothes—I said as he had not brought his father or mother, I would give him the gun back, and then he went away—he came again on the Monday morning, with his mother, and said, "The first tale I told you was untrue, I won it at a raffle," and that his father and mother had an aversion to it—I asked for the house where he won it—he left the gun—on the Wednesday he brought Betty, and said he had the gun from Betty, and Betty said the gun belonged to Wilkinson, and that he gave it him.

Cross-examined. Q. That was said by Wilkinson? A. Yes—Betty heard what was said—Wilkinson said he had got it from Betty, and Betty allowed it.

CHARLES HENRY BAGNELL (*police-constable F 31.*) Between eight and nine o'clock on Wednesday evening, I saw the two prisoners coming up Long Acre—Wilkinson had a gun in a case—I saw him hand it to Betty—he undid the bottom part of the case, looked at the lock, and I questioned them how they came by it—Betty said it belonged to Wilkinson, who said it was his, he had paid 1s. a week for it.

(Wilkinson received a good character.)

WILKINSON—GUILTY. Aged 16.—Confined Four Months.

BETTY—NOT GUILTY.

1761. THOMAS POTTINGER was indicted for embezzlement.

HENRY AUSTIN. I am a butcher, and live in Lower-road, Islington. The prisoner was in my service—if he received 5s. from Mr. Lloyd, on the 25th of May, he has not given it to me, nor 3s. 9d., from David Brooks; it was his duty to have done so.

DAVID BROOKS. I deal with the prosecutor. I paid the prisoner 3s. 9d. on the 15th of May, for his master.

THOMAS JENKINS LLOYD. On the 25th of May I paid 5s. to the prisoner, for his master.

GUILTY. Aged 19.—Confined Four Months.

1762. WILLIAM ALLEN was indicted for stealing, on the 15th of June, 1 shilling, the money of William Frederick Bryan, his master.

WILLIAM FREDERICK BRYAN. I am an oilman, living in Regent-street; the prisoner was my errand-boy. On the 15th of June I placed 2s., and some other money in the till—I went away, and came back again in two minutes, and found the money gone—I took off the prisoner's apron, and found this one shilling, which I had marked, in his waistcoat pocket—this was in less than two minutes.

GUILTY. Aged 13.—Confined One Month.

1763. AARON WITHERS was indicted for stealing, on the 3rd of June, 21lbs. weight of horse-hair, value 20s.; and 1 bag, value 1s.; the goods of the Directors and Guardians of the poor of the parish of St. Mary-le-bone; and JAMES EVANS, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

MR. PRENDERGAST conducted the Prosecution.

ROBERT LOVELESS. I am superintendent of the manufactory, in Mary-le-bone workhouse. On the 2nd of June I delivered 21lbs. weight of horse-hair to Withers, who was a pauper in that workhouse, to take to the Horse Bazaar; it had been picked by the paupers, and he was to take it back—I had sent him with 27lbs. weight before, which was taken safe—in consequence of some suspicion, I watched him with the last load—he went to No. 8, Upper Dorset-street, Bryanston-square, where Evans lives, in the back kitchen (that is quite out of the road from the workhouse to the bazaar)—he went in, and stopped there two or three minutes, then came out without either the bag or hair—he went to a beer-shop in Seymour-place, stopped there about half-an-hour, and when he came out he had the empty bag with him—I had kept at the corner, and had seen one other person go into the beer-shop, but I do not know who it was—where

Withers came out, he went through the iron railings towards Bryantson-square—I overtook him at Windham-place—I said, “What have you done with the bag of hair I sent you with to the bazaar?”—I repeated the question, and he said, “I left it at the bazaar”—I gave him into custody—I and the policeman then went to the house in Dorset-street—Evans was not at home—I left the policeman at the house while I went to the beer-shop in Seymour-place—I found Evans there, and told him I wanted to speak to him—we came out, and I said, “What has become of that hair that I saw a man take into your house half-an-hour ago?”—he said, “What hair?”—I said, “You need not make yourself strange, you know all about it”—he said, “Oh, the bag of hair the man brought, and requested leave to leave it there while he went further”—I said, “Did he leave bag and all?”—he said, “No, he took the bag with him”—I said, “That is not the case,” I watched him with the hair and bag, and he came out without either—he said, “Oh, I forgot, the man requested me to empty the hair, and bring the bag with me to the beer-shop”—that the man was an old acquaintance of his—we went to his lodging—he unlocked the kitchen door, and when we got in, I saw the hair emptied out loose in the kitchen—I said, “That is the hair”—he replied, “Yes, it is,” and I gave him into custody.

Withers. Q. Did you ever find any thing amiss before? A. No, not before—you must have a ticket from the Secretary before you could get out.

PATRICK GLYNN (*police-constable D 75.*) I apprehended the prisoners—I have heard the account of the conversation between the witness and Evans—it is quite correct.

EDWARD SOPP. There was a quantity of horse hair delivered from our bazaar to the workhouse—I cannot say whether I had received any back that day—we are in the habit of sending it and receiving it back.

Evans's Defence. I have known the prisoner a number of years; he has frequently called at my lodgings; sometimes with a load, and sometimes without; he has asked my permission to leave a load while he went to his daughter, and went further; knowing him I never refused his doing so; and on his return he has found it the same as when he went; I never had any dealings with him, nor purchased that or any thing of him.

Withers. I hope you will have mercy upon me.

WITHERS—GUILTY. Aged 72. }
 EVANS—GUILTY. Aged 48. } Confined Three Months.

1764. THOMAS BOWYER was indicted for stealing, on the 21st of May, 1 shovel, value 2s., the goods of Thomas Bentley.

THOMAS BENTLEY. I was working in Vauxhall-bridge-road, on the 21st of May—I went to dinner at twelve o'clock, and left my shovel in the back kitchen—when I had dined it was gone—this is it—(*looking at one.*)

Cross-examined by Mr. PRENDERGAST. Q. Are you sure that that is yours? A. Yes—I know it by marks I made on it myself, which are three dots on each side of the handle—I do not know the prisoner—his mother brought me a better shovel, but I would not use it.

HAYTER SCRIVENER. I live in Charlotte-street, Blackfriars-road. This shovel was pawned with me on the 21st of May, by the prisoner.

JOHN ROGERS (*police-constable R 53.*) I took the prisoner—I found the duplicate of this shovel on him.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Three Months.

1765. JAMES WELCH was indicted for stealing, on the 29th of May, 1 pair of trowsers, value 1s.; and 1 pair of shoes, value 3s., the goods of Thomas Cook Badcock: and 1 pair of trowsers, value 1s.; 1 jacket, value 2s.; and 1 blanket, value 1s. 6d.; the goods of David Owen; in a certain vessel, in a certain port of entry and discharge.

The Prosecutors did not appear.

NOT GUILTY.

1766. CHARLES EVANS was indicted for stealing, on the 12th of June, 1 vase, value 2s.; and 1 opera-glass, value 6d.; the goods of George Harris.

JOHN FELL. I am in the employ of Mr. George Harris, of Grosvenor-row, Pimlico. The prisoner attended at a sale of his, on the 12th of June, to look for a job—I missed this vase and opera-glass—I charged the prisoner with them—he denied it, but I found the vase in his coat-pocket, and the policeman found the opera-glass in his breeches.

Cross-examined by MR. BALLANTINE. Q. Was he drunk? A. He appeared to have been drinking—I have seen him attending sales—I never heard any thing against him.

(The prisoner received a good character.)

GUILTY. Aged 43.—Confined Two Months.

OLD COURT.—*Wednesday, June 24th, 1840.*

Third Jury, before Mr. Common Sergeant.

1767. FRANCIS BROTHERS was indicted for stealing, on the 6th of November, 1 horse, value 20l.; 1 saddle, value 2l. 10s.; 1 bridle, value 10s.; the goods of Charles Gordon and others.

CHARLOTTE PERRY. I live at the George Inn, Odiham, near Southampton; I am the landlord's sister. On the 4th of November, the prisoner came to the house, and brought a carpet bag—he remained there that night, and the next day, he asked me if he could have a horse—I told him there was a very good mare in the stable—he asked if she was quiet—I said, "Yes"—he rode it out about half-an-hour, brought her back, and slept there that night—next day he had the same mare again, and left between ten and eleven o'clock, he ordered dinner at five o'clock, and said he would be back about that time—he did not return at all—he asked me, the first morning he was there, if there were any letters or papers for him—I asked him "In what name?" and he said, "The Rev. Mr. Preston"—the carpet-bag was opened, and contained some straw, three bricks, and a piece of paper.

CHARLES GORDON. I am Mrs. King's brother. In November last, I lived at the George Inn, which her husband kept—I remember seeing the prisoner there—I have since seen the mare—I met it in Belgrave-square, on the 9th of this month, drawing a cab, and stopped it—it was in the possession of a man named Autt—I went to the stable in St. John's Wood, and found a saddle and bridle, which had been on the mare—I am one of the executors of the late Mr. King—the mare belonged to him—I have the probate of the will—there are three executors besides me—the mare was worth about 20l. when she was taken away.

PAUL RAWLINS. I am ostler to Mr. Bunce, of Orchard Mews, Portland-place. On Wednesday night, the 6th of November, the prisoner

came between nine and ten o'clock, and rode the mare, with saddle and bridle, and whip—he advised me to take particular care of the mare, as it was a great favourite of his father's.

Cross-examined by Mr. PHILLIPS. Q. He directed your particular attention to the mare? A. Yes, he desired me to chill the water.

CHARLES AUTT. I am a cab-driver. I bought the mare of Mr. Dark for 10*l.*, last Monday fortnight.

JAMES HENRY DARK. I keep St. John's tavern, Mary-le-bone. I bought the mare of the prisoner, on the 4th of June, for 10*l.*

Cross-examined. Q. You did not like her, I believe? A. No—I sold her for less than I gave, as Autt has not paid me in full.

JOHN TURNER. I live in High-street, Portland-town. The prisoner rented a stable there of me—the saddle and bridle, which were in the stable, I gave to Mr. Gordon, the morning after the prisoner was taken.

Cross-examined. Q. Had you known the prisoner any time? A. Yes—I always considered him a fair-dealing man—he is married, and has a young wife and child.

(The prisoner received a good character.)

GUILTY. Aged 28.—*Recommended to mercy.*—Confined One Year.

NEW COURT.—*Wednesday, June 24th, 1840.*

Fifth Jury, before Mr. Sergeant Arabin.

1768. JOHN SMITH was indicted for stealing, on the 16th of June, 1 iron weight, value 2*s.*, the goods of John Fisher, his master.

JOHN FISHER. I am a baker, and live in St. Giles's. The prisoner was in my service—I missed an iron weight last Monday week—it was found in a rag shop. (*See page 347.*)

Cross-examined by Mr. HORRY. Q. Was the person who bought the weight here on Monday? A. No, she is here now—I missed some planes, and found them also—I have a water-closet in my yard, three or four yards from the bakehouse in which the prisoner was—when I spoke to the prisoner about this, he said he knew nothing about it.

CHARLES THOMAS BEST. I live at the prosecutor's house with my parents. On the Saturday, in the middle of the day, I saw the prisoner in the bakehouse—he said he would give me 1*d.* to tell nobody, and he told me to take the weight over to Mrs. Wildman—I took it, and got 6*d.* for it—I gave the 6*d.* to the prisoner—I told Mrs. Wildman my father sent me—the prisoner told me to say so.

Cross-examined. Q. Where were you going when the prisoner told you to take the weight? A. I was going down stairs to get a drop of water—I went with the weight before I got the water—it was about two o'clock in the day—I gave the prisoner the 6*d.* when I came back, and then I got the water—I then went up to Blackfriars'-bridge—I did not go across the yard at all—if any body had said that I was going to the water-closet at the time the prisoner stopped me, that is not true—he met me at the head of the stairs—he spoke to me first—he said, "Here, little boy, is 1*d.*, don't tell any body"—he told me to take it to Mrs. Wildman, and get money for it—he gave me 1*d.* before I went, and 1*d.* when I came back—he told me to tell the woman that my father wanted some tobacco, and the children wanted some bread, and I said so.

ELIZABETH WILDMAN. I keep a marine store shop. This boy brought this weight over to me—he said his father had sent him, and his mother went out nursing—I gave him 6*d.* for it.

Q. What time did he come? A. About half-past eight at night.

NOT GUILTY.

1769. WILLIAM RIDLEY and JOHN HILYARD were indicted for stealing, on the 31st of May, 1 watch, value 2*l.* 10*s.*; 1 watch-chain, value 6*d.*; 1 split-ring, value 3*d.*; and 1 watch-key, value 1*s.*, the goods of George James Clark.

GEORGE JAMES CLARK. I am a farrier, and live in Union-street, Kingsland-road. On the 31st of May I went to bathe at Mr. Goddard's bath, opposite Gloucester Chapel, Hackney—the baths are enclosed with a wall—I paid 4*d.* to go in—it was about ten minutes to four o'clock when I went in, and I put my clothes in a box by the bath—I had a watch, which I put into my hat on the seat—I was in the water about an hour—I think the prisoners are the boys I had seen in the bath, and they had asked me what o'clock it was before I went into the water—I missed my watch when I got out, and the prisoners were then gone.

Cross-examined by Mr. PRENDERGAST. Q. You are always getting into some scrape or other, are you not? A. No—I was knocked down by two or three persons the day before yesterday—I did not knock a policeman down—he tumbled over my feet—he gave me a *drive*—I asked him what it was for, and he took me in custody, and as I laid on the ground he tumbled over me—I am almost sure I saw these prisoners at the bath—there were a good many boys about, but none so conspicuous as those in their clothes—they had particularly clean corduroy clothes on—it was on Sunday.

THOMAS CLEMENTS. I am apprentice to a paper-stainer. I was bathing with the prosecutor—I wanted to know what time it was—he went to look at his watch, and missed it—I had seen him put it into his hat, and when he said it was gone I went to Mr. Goddard—he called the policeman in, and made a search through the bath—I saw the prisoner Hilyard there, talking to another about the size of Ridley.

Cross-examined. Q. You don't say that it was Ridley? A. No—Hilyard's face was towards me, but the other's back was towards me—he might be rather taller or shorter than Ridley—my master once missed some pieces of paper, and he said I took them, but he found out differently afterwards.

ROBERT SAVAGE. I am a broker and general salesman, and live in Brick-lane, Whitechapel. On Monday morning, the 8th of June, about half-past eight o'clock, Ridley came and asked if I bought watches—I said, "Let me look at it"—he said, "I have not got it, I will go and fetch it"—I watched him, and I saw Hilyard about twelve yards off, on the other side, with another little boy—they went round the corner, and Ridley went towards them—Ridley came to me in three or four minutes, and brought me this watch—I took him into my back place and examined the watch—I asked him where he got it—he said he picked it up at Bermondsey—I sent for a policeman—Ridley then cried, and said there were two boys outside, that the big one had taken the watch and given it to him to sell—by the big one he meant Hilyard, and he represented the dress he had on.

Cross-examined. Q. Did not he say he got it from two boys outside?
A. Yes—I saw Hilyard outside, and another little boy, who turned out to be Hilyard's brother—he was discharged.

JOHN FRANCIS (*police-constable H 148.*) I took Ridley—I went out and saw Hilyard and another little boy—they saw me and ran off—I ran and took them.

Cross-examined. Q. Was the other little boy about the size of Hilyard?
A. Yes.

Hilyard's Defence. My brother was not with me—he had gone to see a man hung.

(Susan Anderson and Jane Raikes gave the prisoner Hilyard a good character.)

HILYARD—GUILTY.* Aged 15.—Transported for Seven Years—Ship.
RIDLEY—NOT GUILTY.

KENT CASES.

Before Mr. Common Sergeant.

1770. GEORGE HYDE was indicted for stealing, on the 8th of June, 1 rosary, value 2s., the goods of Mary Ford, from her person.

MARY FORD. I live in Prentice-place, Bermondsey. I was at Greenwich fair on the 8th of June, and lost a rosary from my pocket—this is it—(*looking at it*)—I know it to be mine—I did not feel it taken.

Prisoner. She said at the office that she lost a knife and 1s. 6d. from her pocket. *Witness.* I might have said so, but I did not swear it.

JOHN CARDEN. I am a policeman. I was at the fair on the 8th of June, in plain clothes, and saw the prisoner put his hand into the prosecutrix's pocket and take out this rosary—I took hold of his hand, and he let it fall on the ground—I took it up, and called to the prosecutrix.

Prisoner. It was all in a crowd, and how could he see me take it? Two boys came behind me, and I heard them say, "Drop it"—I never had it I was never near the woman. *Witness.* You took it out of your right hand, let it fall into your left hand, and dropped it.

GUILTY.* Aged 19.—Confined Six Months.

Before Mr. Baron Parke.

1771. JOSEPH FRY HEAKS was indicted for stealing, on the 9th of April, 3 grates, value 15s., the goods of William Hannell, and another; and fixed to a building.

Upon which no evidence was offered.

NOT GUILTY.

Before Mr. Sergeant Arabin.

1772. JOHN EVES was indicted for assaulting Mary Drought, with intent to violate her person.

GUILTY of a Common Assault. Aged 45.—Confined Three Months.

1773. GEORGE EVANS was indicted for stealing, on the 10th of June, 1 handkerchief, value 2s., the goods of Henry Graham, from his person.

JOHN ARCHER (*police-constable G 150.*) On the 10th of June I was at Greenwich fair, and saw the prisoner attempt several pockets—he at last went behind the prosecutor, lifted his pocket with one hand, and with the other took this handkerchief out—I took him with it.

HENRY GRAHAM. I am master of a ship. I was at the fair—I knew nothing of this till the officer spoke to me—this handkerchief is mine—it had been in my coat-pocket.

(The prisoner pleaded poverty.)

GUILTY. Aged 18.—Confined Three Months.

1774. JAMES TITMUSS was indicted for stealing, on the 8th of June, 1 handkerchief, value 5s., the goods of John Dickinson, from his person.

JOHN DICKINSON. I was at Greenwich fair, passing through, on the 8th of June—I felt a tug at my pocket—I turned to the left and exclaimed, "A pick-pocket"—the prisoner answered, "He is gone on"—I saw he was the person, and in seizing him, my handkerchief dropped from between his legs—this is it—(*looking at one*)—I think there were three of them in a gang—I dragged the prisoner down, and took up the handkerchief.

ALFRED JAUNCEY (*police-constable R 28.*) I took the prisoner—I found on him five other handkerchiefs, a pair of gloves, a purse and 4½d. in coppers, and a lucifer-box.

Prisoner's Defence. I saw a soldier drop a bundle; I went and picked it up, and said, "Are these yours?" He said, "No." I put them in my pocket; this gentleman turned and laid hold of me.

GUILTY. Aged 18.—Confined Three Months.

1775. JOHN WILLIAMS was indicted for stealing, on the 8th of June, 1 handkerchief, value 1s. 6d., the goods of a man unknown, from his person.

JAMES BROOK (*police-constable L 118.*) On the 8th of June I was at Greenwich fair, in plain clothes—I saw the prisoner take this handkerchief, which I now produce, from a gentleman's pocket, about seven o'clock in the evening—I laid hold of him with the handkerchief—he made great resistance, and we both fell to the ground—on getting up I saw the handkerchief under him—I do not know the name of the gentleman—while the prisoner was struggling he got away.

Prisoner. You know there was a great crowd there. *Witness.* Yes, there was—you made great resistance—you took the handkerchief with your right hand—you said, "Let me go, it is all fair in fair time."

MATTHEW COOKE. I am a policeman. I was at Greenwich fair, in plain clothes—I was opposite Clark's booth—I saw my brother officer seize the prisoner—they fell to the ground, and as they fell I saw the handkerchief in the prisoner's hand—when we got him up he had it under him—he struggled very violently, and was almost more than we could manage—he would not go any further without water—we got him nearly a quart, which he drank—he then got on further, and would have some more—we could scarcely get him to the station-house—he said, "Let me go this time, I will never do it again"—afterwards he said, "Let me go, it is all fair in fair time."

Prisoner's Defence. I asked the officer several times what he took me for; he refused to tell me; he said, "I will tell you by and by." I had been fighting, and I thought it was some of those persons had come to seize me; the handkerchief was my own; I was wiping my nose with it. I could bring parties to prove that they have washed it and that I took it out of pawn, if I had time.

GUILTY.* Aged 29.—Transported for Ten Years.

1776. THOMAS REED was indicted for stealing, on the 20th of May, 6 yards of druggut, value 2s., the goods of James Martin.

JAMES MAHER (*police-constable R 18.*) On the 20th of May, about a quarter-past twelve o'clock in the night, I saw the prisoner at Deptford, carrying this druggut under his right arm—I asked him where he got it—he said at the Fleece public-house, which was just by—I turned to go to inquire if what he said was true, and he instantly threw it down in the road, and ran as hard as he could—I overtook him, and with the assistance of another took him into custody—he resisted violently.

JAMES MARTIN. I live at Deptford, and am a dealer in marine stores. This druggut is mine—it was covered over a load of salt, and was taken off the top of my cart, with which I was going off the next morning—my cart stood in my yard, which is walled in and has gates to it, but the gates were not shut, I believe.

Prisoner's Defence. I was very drunk, there were some women with me; whether they got it and put it round me or what, I do not know, but some man told me to get up, or the police would take me; I got up and took this under my arm.

JAMES MAHER *re-examined.* He had been drinking, but was not drunk at all.

GUILTY. Aged 30.—Confined Six Months.

1777. WILLIAM BRUMMEL was indicted for stealing, on the 15th of May, 1 pair of boots, value 8s. 6d., the goods of Thomas Cummings Hoare.

THOMAS CUMMINGS HOARE. I live in Church-street, Woolwich, and am a shoemaker. On the 15th of May, the prisoner came to my house with this basket, which I produce—he asked if I had a pair of cossacks that would fit him—he wanted them with hob nails—I had a pair with sparables—he said they would not do, that he would try to get a pair, and if he could not he would come back—when he was gone I missed a pair of boots off a nail over where his basket had stood—I went and overtook him—I said I missed a pair of boots, and wished to look into his basket—he said, “Very well, there is nothing like being sure, I will go back with you”—when we got to my door, he dropped the basket with the boots in it, and a coat which he was carrying, and ran off—I pursued, and he was taken—these are my boots—(*looking at them.*)

CHARLES NICHOLLS (*police-constable R 121.*) I took the prisoner at the prosecutor's shop—he begged very hard of me to let him go—he said the prosecutor had got his property—if he would forgive him would I?—I said I could not—on his way to the station-house, he said, “A man having a wife and child starving, would make him do any thing.”

(The prisoner received a good character.)

GUILTY. Aged 19. Confined Three Months.

1778. CHARLES DRAKE was indicted for stealing, on the 8th of June, 1 purse, value 3s.; 1 half-crown, 5 shillings, and 2 sixpences; the property of Elizabeth Grayling, from her person; to which he pleaded

GUILTY. Aged 18.—Transported for Ten Years.

1779. WILLIAM HUGHES was indicted for stealing, on the 10th of June, 1 handkerchief, value 2s., the goods of a man unknown, from his person.

JOHN ARCHER (*police-constable C 150.*) I was at Greenwich fair on the 10th of June, in plain clothes—I saw the prisoner, and watched him for

about twenty minutes—I saw him attempt several person's pockets—I kept my eye on him, and saw him go behind a gentleman, and draw from his pocket this handkerchief, which I now produce—I seized him, and told the gentleman to come with me to the station-house—when he got about half-way, he said he would not go any further, and went away—I asked his name and address, he refused to give it.

Prisoner. He asked the gentleman if it was his handkerchief, and he said no. *Witness.* No, the gentleman said he had a great mind to transport him.

RICHARD HILL (*police-constable T 113.*) I was there in plain clothes, and assisted—what has been stated is correct—I do not know the gentleman's name.

GUILTY.* Aged 20.—Transported for Ten Years.

1780. ANN SAUNDERS was indicted for stealing, on the 8th of June, 1 handkerchief, value 1s., the goods of a man unknown, from his person : also, on the 8th of June, 1 handkerchief, value 1s., the goods of a man unknown, from his person ; to both of which she pleaded

GUILTY. Aged 17.—Judgment Respited.

1781. JOHN WHITE was indicted for stealing, on the 21st of May, 1 coat, value 5s. ; 1 handkerchief, value 6d. ; $\frac{3}{4}$ lb. weight of bread, value 2d. ; and 1 oz. of cheese, value 1d. ; the goods of Thomas Walkling.

THOMAS WALKLING. I was at work in the fields at Eltham, on the 21st of May—I took off my coat and hung it in the hedge—I was hoeing backwards and forwards till about ten o'clock, I then missed my coat, and I saw a hole made in the hedge as if some person had got through—I went round into the field, and by the hole there was a stick about six feet long with two prongs—I went and told the policeman—this is my coat which is now produced—the handkerchief, and bread and cheese were in the pocket.

HENRY SAUNDERS (*police-constable R 36.*) I took the prisoner from information of the prosecutor—I found him in the street at Eltham—he had this coat on—the sleeves were turned up, and it hung a good deal about his heels—I asked him where he got the coat—he said he brought it from home, and his father had bought it for him—I had known him about there—I asked him what he had done with the handkerchief, and bread and cheese—he said he had not seen it.

Prisoner's Defence. There was no bread and cheese in the pocket.
GUILTY. Aged 12.—Recommended to mercy.—Confined Seven Days.

1782. WILLIAM HERRING was indicted for stealing, on the 11th of June, 2lbs. weight of bacon, value 1s., the goods of Benjamin Duvall ; and that he had been before convicted of felony ; to which he pleaded

GUILTY. Aged 22.—Transported for Ten Years.

1783. GEORGE ADAMS was indicted for stealing, on the 1st of June, 50 yards of rope, value 3s., the goods of John Meredith.

ROBERT HILL, (*police-constable R 184.*) I was at Woolwich on the 1st of June—I saw the prisoner near the market-place, where the circus is kept—he was carrying this rope, which I now produce, under his arm—I asked how he came by it—he said his mother gave it him to sell—I took him to his mother—she denied all knowledge of it—I then found the prosecutor.

CHARLES HARDY. I am foreman to John Mereditch. This rope is his—it was under the carriage where we make the platform—I know it by a knot which I tied in it.

Prisoner's Defence. I found it against the show.

GUILTY.*** Aged 12.—Transported for Seven Years.—Convict Ship.

1784. JAMES STONE was indicted for stealing, on the 16th of May, 4 tumblers, value 4s.; 2 wine-glasses, value 3s.; 1 pair of sugar-tongs, value 1s. 3d.; 1 needle-box, value 3s.; 1 brooch, value 1s.; and part of an ear-ring, value 1s.; the goods of Frances Harris.

FRANCES HARRIS. I keep a green-grocer's shop at Greenwich. The prisoner lodged at my house for three days—on the 16th of May I went out at six o'clock in the morning—he had left my house then—I returned in about an hour and a quarter, and missed the property stated—in the box was a duplicate of one of my lodgers—this is the box and the sugar-tongs—(*looking at them*)—the duplicate and the part of the ear-ring is in the box.

JOHN WALKER (*police-constable R 182.*) I stopped the prisoner on the 16th of May, and found on him these four tumblers and two wine-glasses, with the other articles stated.

GUILTY. Aged 28.—Confined Three Months.

1785. JAMES DRISCOLL, JAMES CROOK, and DAVID MILLER were indicted for stealing, on the 19th of May, 6 pairs of shoes, value 14s., the goods of Mary Pavey.

WILLIAM JAMES MORGAN. I live with a brewer at Deptford. On the 19th of May, about a quarter to six o'clock in the evening, I saw the three prisoners with another person near the new church at Deptford—they walked on, and when they got down to Union-street, they parted—Driscoll was then next to Mrs. Pavey's—I was getting my pots—I went down Union-street, and when I came up, I saw Crook take his handkerchief and cover over the shoes, which he took of Driscoll—I ran after them, but could not catch them—I am quite sure the prisoners are the persons that were there together, and there was one more with them—Crook was carrying the shoes.

Miller. Q. Was I with these boys when they stole the shoes? A. You were standing at the corner of Union-street, with a boy named Murphy.

ANN WILLIAMS. I live at Deptford. On Tuesday evening the 19th of May, about six o'clock, I saw Driscoll come from the prosecutor's shop, carrying some shoes on his arm—I saw Crook, but not Miller—I went into the shop and told of it.

THOMAS COOK. I live at Deptford. I saw Driscoll and Crook in Hughes-fields that evening—they came by me as though they had been running—Crook had got a bundle of shoes under his right arm—they were women's shoes, and were covered over—they were going to make a stop—I suppose they saw me, and began to run—I am lame, or I could have caught them.

Crook. Q. You were selling fish in High-street? A. No—I had no fish—I had been to Woolwich and to London.

SARAH BOWEN. I was in Union-street. I saw the prisoner Crook pass me just as the clock struck six—he had a bundle under his arm lightly covered over—he and Driscoll were together, running fast.

JOHN EVANS (*police-constable R 190.*) I took Miller into custody—he denied that he had been with the other prisoners, and then said he had.

MARY PAVEY. I am a widow. I lost six pairs of women's shoes tied together—the witness came and told me—I then missed them—they are quite lost.

BENJAMIN LOVELL (*police-sergeant R 15.*) I produce a certificate of Driscoll's former conviction, which I got from the Clerk of the Peace's office, at Maidstone—(*read*)—I was present at the trial—Driscoll is the person.

DRISCOLL—GUILTY. Aged 19.—Transported for Fourteen Years.

CROOK—GUILTY. Aged 19.—Transported for Seven Years.

MILLER—NOT GUILTY.

(There were two other indictments against Driscoll, and one against Crook.)

1786. THOMAS MITCHELL was indicted for stealing, on the 23rd of May, 1 wheelbarrow, value 1*l.*, the goods of Joseph Wilshen.

JOHN WRIGHT. On the 23rd of May I saw the prisoner, a little after five o'clock in the morning, take a barrow from Mr. Wilshen's fore-court, at Camberwell—he wheeled it a little way, then turned, and went on to Deptford—my brother and I followed him—my brother spoke to a policeman, and the prisoner was taken with the barrow.

JOHN GOLDFINCH (*police-constable R 59.*) Wright's brother spoke to me—the prisoner had a wheelbarrow, and I asked him if it was his—he said, "No," he borrowed it of a brush-maker—I let him go—the barrow was sold afterwards, and found by an officer of our division.

JOSEPH WILSHEN. I live in Canterbury-place, Camberwell—I lost this barrow—I had seen it safe the evening before—there is a gateway to the yard where it was taken from, and the gates were shut.

GUILTY. Aged 55.—Transported for Seven Years.

(There were two other indictments against him.)

1787. THOMAS MILLER was indicted for stealing, on the 13th of June, 1 pair of shears, value 5*s.*, the goods of Robert Goulding.

MARGARET GOULDING. I am the wife of Robert Goulding, a smith, in Flagon-row, Deptford. On the 13th of June, a pair of shears was taken from the passage—these are them—(*looking at them*)—I do not know the prisoner.

JANE LOCKER. I live with my uncle, who keeps a marine-store shop in Flagon-row. Last Saturday night, between ten and eleven o'clock, the prisoner brought these shears to me—I would not buy them in the absence of my uncle—he left them and came back again.

BENJAMIN LOVELL (*police-sergeant R 15.*) I saw the prisoner in front of the house where Locker lives—I had had information of the robbery, and took him.

Prisoner's Defence. I picked them up three or four doors off.

GUILTY. Aged 17.—Confined Three Months.

Before Mr. Justice Littledale.

1788. THOMAS HARDING was indicted for burglariously breaking and entering the dwelling-house of John Lacey, about the hour of three in the night of the 21st of May, at Woolwich, with intent the goods and chattels therein feloniously to steal.

Messrs. BODKIN and BALLANTINE conducted the Prosecution.

JOHN LACEY. I am the landlord of the Red Lion inn, Mulgrave-place, in the parish of Woolwich, in Kent. On the morning of the 22nd of May, about three o'clock, I was in bed—my wife awoke me—I heard a particular moaning or groaning, which proceeded from the chimney or the top of the house—I rang my bell, got up, and dressed—I went out of my room, and found my house full of smoke—I went into the different rooms, with the exception of the bar, which was locked—I went up stairs, and fetched the key of the bar—I then went into the bar, and found the grate and fender full of soot, all on fire—there had been a fire left in that bar—by this time my servants had come to me—after I had opened the front door and the window of the bar, I heard a moaning or groaning, which appeared to come from the chimney—I took an iron bar and put it up the chimney—I felt somebody up there, and the person said, “Oh don't, Oh don't; take me out, take me out; ring the bell”—I sent for a policeman—when the policeman came, the register of the stove in the bar was removed—the policeman and one of my servants pulled the prisoner out of the chimney into the room—he was without his boots or cap, and his trowsers were turned inside out—he had a military jacket on, but not so good a one as he has now—I heard him tell the officer where his boots and cap were—I afterwards went to the top of the house, and found a bag, which the officer produced—there was no way by which he could have got to where we found him, but from the top of the house—he said he had got up by the side of a flue, two houses from mine, and that he came down the chimney, for the purpose of robbing and plundering the house—those were the words he made use of to my servant in my presence—I have heard that a cloak has been found since—I found a razor on the top of the house, about two yards from the chimney which the prisoner came down.

Prisoner. You stated that you found a turnscrew, not a razor—it was a turnscrew I screw my spurs on with, and which I took from the stable that evening. **Witness.** It was stated by one of my men, that a turnscrew was found on the top of the house—but I found the razor myself, a week afterwards—this is it—(*producing one*)

Prisoner. I was quite exhausted—I do not remember saying any thing at all—I was carried on a stretcher. **Witness.** He perfectly recollected where his boots and cap were—he was taken on a stretcher—I think he pretended to be exhausted.

COURT. In your deposition you have not mentioned about what the prisoner said. **Witness.** I certainly did give that in my evidence, and so did my servants.

GEORGE FISHER (police-constable R 30.) I was called to the Red Lion public-house—I went into the bar, and heard some one in the chimney—I called to the person to come down—he said he could not, he was fixed—I reached up, and laid hold of one of the prisoner's legs—the servant took hold of him first, and we both pulled him out—he was in a deplorable state—his nostrils and mouth were full of soot—I took him outside, and, in the presence of the prosecutor, I asked him what he was doing there, and why he got into the chimney—he said, “My intention was, to rob the house”—I found on him a knife—I produce a jacket and a screw-driver, which I got from one of the servants.

JOHN BEECH (*police-sergeant R 17.*) I saw the prisoner about four o'clock that morning—he was lying on his back outside Mr. Lacey's door—the policeman, Fisher, and Mr. Lacey were by him—I went to the top of the house, and found a bag, which I now produce—it was three or four yards from the top of the chimney—I brought the bag down and showed it to the prisoner—I asked him whether it was his—he said it was—I told him he must go to the station-house—he said, “I wish you would get my cap and boots for me before I go”—he said they were at the back of Milligan's house, close to the wash-house—(Milligan's house is two doors from Mr. Lacey's)—I went there and found a pair of boots and a cap, and in the cap I found an old handkerchief, a tobacco-box, and a pipe—I showed them to him—he said they were his—I asked whether that was the way he got upon Mr. Lacey's house, and he said it was—that he got on the wash-house, and got on Mr. Lacey's house from there by climbing a wall about twelve feet in height—(a person could get on the house that way)—he was sober—his trowsers were inside out.

Prisoner. They were not turned inside out, but the red was covered with soot; they were just as I came from the stable—I told where my boots and cap were—I live close by where they were.

JOSEPH ALCHIN.—I am servant to Mr. Lacey, and helped to pull the prisoner down. I knew that the bar had been closed about five minutes past eleven o'clock the night before, by my fellow-servant—I was present—there was not a soul about the house, to the best of my knowledge—if there had been a person in the chimney, I must have heard it—we make a regular rule of searching every place—when the prisoner was pulled down I took him to the front-door—I asked him what his intention was in getting into the chimney—his reply was, “To rob and plunder the house”—there is a door leading to the roof of the house, which I had fastened about a quarter-past five o'clock the preceding afternoon—he was taken to the front-door that we should discern who he was—he did not appear exhausted—it was between three and four minutes after I took him to the door that I asked what his intention was.

WILLIAM TRATHAN. I am waiter at the Red Lion public-house. I went to the top of the house after this occurrence—I found an old jacket and a screw-driver—one half of the jacket was hanging down the chimney, the other half out.

TIMOTHY POOL. I am a private in the Royal Artillery. I belong to the same detachment as the prisoner—I have been in the habit of using his razor—this razor (*looking at it*) belongs to the prisoner.

Prisoner. Q. Have you any particular mark by which you can identify it? *A.* Yes, there are scratches on it; I pointed them out to Mr. Lacey.

Prisoner. I am sure you cannot swear that it is mine; it is a razor I never saw before; the one I had in the barracks was a buck-horn one; that was the one you always used. *Witness.* I gave a description of three razors of yours, and this is one.

JOHN LACEY *re-examined.* *Q.* What time did you leave the bar on the night previous? *A.* I had been in the bar all the evening—there was a good fire—it was not possible for any one to be in the chimney then.

JURY. *Q.* Did Pool describe the marks on the razor to you before

he saw it? *A.* Yes—there are five or six marks on the handle, which he described.

Prisoner's Defence. I had been drinking at Mr. Lacey's, and after stables in the evening I went there again, and had two pints of porter, and then I went to the Britannia; I live within two houses of Mr. Lacey. I put on my cloak when I went down to the Britannia; when I came back I took off my cloak, and put it down by the side of Mr. Evans's yard; I went to Mr. Lacey's again, and had a pint of porter; I had been to the top of Mr. Lacey's house many dozen times; it is quite easy, as there are holes in the wall; I used frequently to go and smoke a pipe there in the evening, unknown to Mr. Lacey, and to sit on the chimney, as it was quite wide enough, and had no pots on it; I must have fallen asleep and fallen down, but I did not know it till I got to the bottom; I was quite exhausted then, and the pain roused me to my senses; I was almost stifled with soot and smoke; I was almost doubled, and all the skin was off my back; of course, I then began to groan, as I was fast in, and did not know where I was; I was dead as near as possible, and should have been if I had been there a few minutes longer; it was a providence that they came and pulled me out; I had no intention of robbing the house, and I do not recollect saying a word about it; I have been sixteen years in the Artillery, and never had a flaw against me in my life.

GUILTY. Aged 34.—Confined Twelve Months.

Before Mr. Common Sergeant.

1789. CATHERINE JONES was indicted for stealing, on the 21st of May, 2 aprons, value 8s.; and 1 shift, value 4d.; the goods of Mary Wilson.

MARY WILSON. I live in Dowling-street, Deptford. The prisoner lodged in my house—I lost those things on the 22nd of May—these are them.

Prisoner. She sent me with the articles to sell, she came home tipsy in the evening, and I gave her 10d. *Witness.* I never did—it is not true—I was not at home.

MARIA COOK. I keep a clothes-shop at Deptford. The prisoner came in with these things—I asked her what she wanted for them—she said 1s.—I took them to my mother in the bed-room, who said she could give but 10d., which I gave her—I asked whose they were—she said her own.

Prisoner. She never said a word to me about it, it is all from spite. *Witness.* I have no spite against her—I have seen her about the street.

JAMES CORDER (*police-constable R 191.*) I took the prisoner—she said she knew nothing about them, neither had she sold them—I took her to Mrs. Cook, and she said she hoped Mrs. Cook's legs might break before she followed any body else—she did not then say that the prosecutrix sent her to sell them.

Prisoner's Defence. The prosecutrix lives with a man. Her husband is transported, and she gets the officer to take people up. I offered her 1s. 6d. in the office rather than be brought to any trouble, and she said no, she would be d—d but she would transport me, and make more money of me.

GUILTY. Aged 32.—Confined Four Months.

SURREY CASES.

Before Mr. Common Sergeant.

1790. JAMES POOL was indicted for stealing, on the 23rd of May, 1½lb. weight of rivets, and ¼lb. weight of burrs, value 2s. 6d., the goods of William Joshua Tilley, his master.

WILLIAM JOSHUA TILLEY. I am an engineer, and live in Blackfriars-road. The prisoner has been twenty years in my employ—about eight o'clock, on the morning of the 23rd of May, in consequence of suspicion, I sent for a policeman; and as the prisoner went out for breakfast I called him into the counting-house, and said I suspected he had some of my property, which he denied—I asked if he objected to be searched—he said, “No”—the policeman searched him, and found these copper rivets and burrs in his possession—I have every reason to believe they are mine, as, in consequence of suspicion, I did not let him take work out of the factory; and on this occasion I was led to believe he had possession of the property—I believe it to be mine—he said it was the first time, and he hoped I would not be severe with him—he offered to pay for them, and said I might discharge him, and that would settle it—I have often found a deficiency of forty or fifty rivets from his work.

THOMAS LOWE (*police-constable L 23.*) I searched the prisoner, and found the copper rivets in his pocket.

Prisoner. It is my first offence.

GUILTY. Aged 44.—Confined Six Months.

1791. WILLIAM DOUGLAS and JAMES NEWBERRY were indicted for stealing, on the 28th of May, 1 gallon of ale, value 1s. 6d., the goods of James Goding and others, their masters.

MR. ADOLPHUS conducted the Prosecution.

THOMAS GEORGE PARKES. I am cellarman to Messrs. James Goding and Company. There are other partners, I believe—there is a cellar where a particular sort of ale is placed—it is my duty to lock and take charge of that cellar—I had suspicion that ale was taken out at different times, and watched—on Thursday evening, the 28th of May, about nine o'clock, an hour and a half after the premises were locked up, I went to the cellar, and, on opening the door, I heard a noise of somebody falling over a pail—it struck me that somebody was in the cellar—I left the door a little ajar, and heard somebody come to the top of the stairs, and make a peculiar noise of clucking, like a hen calling her chickens—on looking up I perceived a person on the watch, and, on looking down the cellar, I perceived somebody moving backwards and forwards, there being no light in the cellar but through an air-hole—he walked up to the door—I laid hold of him, and it was Douglas—he was a miller on the premises, and had no business in the cellar at that time of night, and could not have got in by any fair means—I said, “Douglas, I know you”—about a second afterwards Newberry came up, with a can containing ale—he came up to the top of the stairs—he ran round to make his escape—I said, “Newberry, I know you, that is sufficient”—he threw down the can, and ran away—there was about a gallon of ale in it—it was spilt—the can belonged to the men in the tun-room, to drink out of—I left the prisoners in the storehouse, and took the can to the watchman—next day I told the clerk, and they were taken into custody.

Cross-examined by MR. PHILLIPS. Q. How many casks of different kinds are there in the cellar? A. Perhaps 2000—it is ale and beer—I did not taste any of this—I cannot say positively whether it was ale or beer.

MR. ADOLPHUS. Q. Is there a particular cask in which ale of a particular kind is kept in that cellar? A. Yes, and I have missed ale from it from time to time—there were three other casks open—they all contained ale.

MR. PHILLIPS. Q. Might there not be beer there? A. We have nothing in that cellar but ale—not in that part of the cellar—there is a gangway between that part and where the beer is kept—there was no cask of beer open.

ROBERT DALE. I am store-clerk at Messrs. Goding's. Parkes apprised me of what had happened, about half-past five o'clock in the morning—at nine o'clock I sent for the prisoners, and asked how they got into the cellar, thinking they might have had false keys, which they stoutly denied, but admitted getting into the cellar by unscrewing a large bolt of the stowing-machine, and descending into the cellar.

JOHN COLLISON. I am a police-sergeant. On the 29th of May, I received charge of the prisoners, from Mr. James Goding—I took them to the station-house, and told them they were charged with getting into the cellar, and stealing the ale—Douglas said it was a bad job, it was the first time he was in the cellar; and Newberry said it was the first time he was ever there; and they had only taken three quarts.

Q. Three quarts of what? A. Ale, and they got in by unscrewing the nut.

Cross-examined. Q. You heard me examine the first witness as to whether he could say it was ale or beer? Q. Yes—I was examined before the Magistrate—the prisoners were let go the first time, and came back on the following Monday.

Q. Why do you now put in the word "ale?" A. I believe it was ale.
NOT GUILTY.

1792. MARY HILL was indicted for burglariously breaking and entering the dwelling-house of James Riley, about the hour of two, in the night of the 21st of May, at St. Mary, Newington, with intent to steal, and stealing therein 1 coat, value 10s.; 1 snuff-box, value 30s.; 1 pair of boots, value 18s.; 1 pair of gloves, value 6d.; 1 handkerchief, value 6d.; 1 memorandum-book, value 6d.; and 1 card-case, value 6d.; the goods of Joseph Hobbins.

JOSEPH HOBBS. I am a surgeon, and live at No. 8, Church-street, Trinity-square, in the parish of St. Mary, Newington, in Surrey. The prisoner was my servant, and had left shortly before the robbery—before she left, my landlord missed the latch-key of the door—on Thursday morning, the 21st of May, between two and three o'clock, I was awake, and found the policeman in my room, and the property stated, gone from my sitting-room—I had seen them safe at ten o'clock the previous evening—here is my snuff-box—(looking at it.)

DANIEL FRANCIS (police-constable M 133.) On Wednesday night I was on duty in Trinity-square, between one and two o'clock, and saw the prisoner come in a direction from Mr. Riley's house—I think she saw me, and tried to avoid coming in contact with me—she came round the other

side of the church—I turned back, and waited for her to come round on the other side, but she saw me, and went in another direction—I followed and called to her several times to stop, but she would not—I arrested her in Cole-street, and found this property on her—on examining the card-case I found some cards with Mr. Hobbin's name and address.

E——— GOOD. I am clerk at No. 3, Bank-buildings, and lodge at No. 8, Church-street, Trinity-square—I came into that house about eleven o'clock in the evening of the 20th of May—I opened the door with a latch-key, and shut the door after me—I was the last person in.

AUGUSTA C. RILEY. I am the wife of James Riley, and live at No. 8, Church-street, Trinity-square—it is his dwelling-house—the prisoner was in our service shortly before this—on the Friday, previous to her leaving on Saturday, I sent her out on an errand—she said, when she came in, “Madam, I have lost the key of the street-door”—I said, “I think you have not lost it, for I think you let yourself in with it, I hope you will find it”—she pretended to be looking for it all day, but did not produce it—if she had the key she might have opened the door.

Prisoner's Defence. I received the property, not knowing it to be stolen—I was coming home from the Surrey—a young man met me, and asked me to wait—he brought me out the bundle—the policeman came up, and he ran away.

GUILTY. Aged 17.—Transported for Ten Years.

Before Mr. Sergeant Arabin.

1793. JAMES GOODALL was indicted for stealing, on the 3rd of June, 1 pair of boots, value 1*l.* 3*s.*; 2 shirts, value 8*s.*; and 1 coat, value 1*l.* 5*s.*; the goods of Joseph Caulcutt, his master.

JOHN CANNON (*police-constable V* 201.) On the 3rd of June, between seven and eight o'clock in the morning, I was in Kew-lane, and saw the prisoner cross a field with a bundle under his arm, which I now produce—I stopped till he came through the hedge, and asked what he had got—he said, nothing but what belonged to himself—I asked what the bundle contained—he could not tell me—I found these boots and other articles in it—he then said they were his master's—I asked his master's name—he said, “Mr. Littlewood”—I asked him to take me there, but instead of that, he took me to Mr. Caulcutt, who was not at home.

JOSEPH CAULCUTT. I live at Kew—I keep an omnibus and stages. I had employed the prisoner for about a month to wash the carriages—these boots and part of the property in this bundle, belongs to me, and part of it, I believe, to a woman of the name of Neale—they were taken from my sleeping-room after I went out—Neale had the care of my place, and it appears this bundle was made up to give to the prisoner to get a great coat of mine out of pawn, which I had asked for that morning—Neale has absconded ever since.

THOMAS BURFORD. I am a pawnbroker. The prisoner pawned this coat with me on the 1st of June, in the name of James Goodhall, for Mary Neale—he has pawned for other persons, and had a good character.

Prisoner's Defence. Neale gave me the things—I did not take them.

NOT GUILTY.

1794. ELLEN DILLON was indicted for stealing, on the 4th of June,

3 pairs of gloves, value 4s. ; 20 yards of ribbon, value 7s. ; 2 artificial flowers, value 2s. ; 1 towel, value 6d. ; 1 handkerchief, value 6d. ; 1 piece of silk, value 1s. ; and 1-8th of a yard of waistcoating, value 1s. ; the goods of John Todd, her master ; to which she pleaded

GUILTY. Aged 22.—Confined Three Months.

1795. **ELIZA TERRELL** was indicted for stealing, on the 17th of May, 2 rings, value 1l. 10s. ; 3 printed books, value 3s. ; 2 boxes, value 1s. ; 2 thimbles, value 1s. 6d. ; 1 bottle, value 6d. ; 7 waist-ribbons, value 2s. 6d. ; 2 handkerchiefs, value 1s. ; 3 cap-borders, value 1s. ; 1 box of dominos, value 6d. ; 1 shoe-horn, value 6d. ; 2 packs of playing-cards, value 1s. ; and 2 baskets, value 6d. ; the goods of Martin Hatfield, her master.

MARTIN HATFIELD. I am a Manchester warehouseman, and live in Camberwell New-road. The prisoner was my servant for about thirteen months—I missed a sovereign on the 17th of May, and got an officer to search her box in my presence—it was not locked—it was in her bedroom—the articles stated in the indictment were found in her box—these are the articles now produced—these rings had been taken out of Mrs. Hatfield's casket, where the sovereign was lost from—the prisoner was present when her box was searched, and said she had found the rings, and the other articles she meant to return before she left the situation—the officer is ill, and not able to attend.

Prisoner's Defence. My mistress asked me to lend her a basket to put these things in ; not having one, I offered her the loan of my box ; she made no answer ; I thought she did not object to it, and I put the articles there with intent to bring them safe when we removed to Camberwell New-road. The reason of my box being searched was, Mrs. Hatfield said she had lost money which she found she had not, and having had no time to unpack after we moved, these things remained there ; the smallest of these rings I found in the high road five months ago ; I did not know my mistress had lost one ; the other ring I found under the drawers in her bed-room ; I intended to give it her, but she did not come home till late, and I forgot it ; the silver thimble she told me to work with, and take care of it.

GUILTY. Aged 19.—*Recommended to mercy*—Confined Three Months.

1796. **ALEXANDER LAWSON** was indicted for stealing, on the 19th of May, 1 handkerchief, value 2s., the goods of Henry Whittaker, from his person ; and that he had been before convicted of felony.

HENRY WHITTAKER. I live in Manor-street, Clapham. In the afternoon of the 19th of May, I was in Gravel-lane, Southwark, about half-past three o'clock—there was a fire—some persons were standing there, but I was passing on my business—I felt some one at my pocket—I turned, and saw the prisoner in the act of dropping my handkerchief from his hand—he was close to my back—I took him into custody—he said it was not him, but I saw him drop it—this is my handkerchief which is now produced.

Prisoner. I said I was not the person—and there were persons there who said, "You have got your property, let him go." *Witness.* There were three women who said it was not him, and those women followed him down to the office each day he went there.

Prisoner's Defence. I am innocent. I made application to respectable persons in the crowd, who said I was not the person.

ROBERT MALIN (*police-constable M 159.*) I produce a certificate of the prisoner's former conviction, which I got from the Clerk of the Peace's office in Surrey—(*read*)—the prisoner is the person, who was tried by the name of Alexander John Roy.

GUILTY. Aged 22.—Transported for Fourteen Years.

1797. MICHAEL DOHERTY was indicted for a misdemeanor.

MESSRS. CHAMBERS and GASELEE conducted the Prosecution.

JANE MEAD. My brother keeps a beer-shop in Westminster-bridge-road. On the 9th of May the prisoner came between four and five o'clock—he asked for half-a-pint of 4d. ale, which came to 1d.—he paid me with a 6d., which I put into the till—I did not then see that it was bad—there was nothing but copper in the till—in about ten minutes he came again, and asked me for half-a-pint of beer, and gave me a 4d. piece—I asked him if he had no coppers, as I had just given him 5d.—he said he had not—I looked at the 4d. piece, and said it looked like the sixpence he gave me before—he said, "Here is a sixpence," and put down a good sixpence—I then went to the till, and found the sixpence which he had given me before was bad—I showed the 4d. piece to Mr. Hone, who broke it in two pieces—there had been no other money put into the till from the time I put the sixpence in.

WILLIAM MEAD. I went down stairs when my sister called me—I found a 4d. piece broken in two—my sister gave me also a bad sixpence—I gave the sixpence and the two pieces of the 4d. piece to the policeman.

RICHARD HONE. I was in the house—the 4d. piece was handed to me, and I bit it in half.

ALEXANDER TABOURDIN (*police-constable L 57.*) I took the prisoner, and have the sixpence and the two pieces of the 4d. piece—I found nothing on the prisoner.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint—these coins are both counterfeit.

Prisoner's Defence. I am quite innocent of giving the sixpence, and was not aware of the 4d. piece being bad.

GUILTY. Aged 21.—Confined One Year.

1798. WILLIAM COLEMAN was indicted for a misdemeanor.

MESSRS. CHAMBERS and GASELEE conducted the Prosecution.

EDMUND HAIGHTON. I keep a draper's shop in Lambeth Marsh. On the 14th of May the prisoner came to buy a handkerchief, which came to 4½d.—he put down a bad shilling—I said, "I recollect you have been here before, and passed bad money"—he then put down a good sixpence—I got over the counter, and he ran off—a policeman who was passing pursued and took him—he dropped a shilling in going, which the officer brought to my shop—I marked the shilling which the prisoner gave me—I gave that and the other to the policeman.

JOHN MEEK (*police-constable M 48.*) I ran after the prisoner and took him—I saw him put his hand in his left hand breeches pocket and take out a shilling, which fell on the ground—Chandler took it up and delivered it to me—I took it back to the shop—this is the one I received from Mr. Haighton.

JOHN CHANDLER. I saw the prisoner drop the shilling—I picked it up.

MR. JOHN FIELD. These are both counterfeit.

GUILTY. Aged 16.—Confined One Year.

Before Mr. Justice Littledale.

1799. HENRY MOORE was indicted, for that he, about ten o'clock in the night of the 28th of May, being in a certain church at Camberwell, feloniously and sacrilegiously did steal 1 table-cover, value 3s.; and 1 looking-glass and frame, value 3s., the goods of George Hall Pownall and another: 1 printed book, value 4s., the goods of Mary Ann Baldwin: 2 printed books, value 4s., the goods of Mary Ann Baldwin the younger: 3 printed books, value 10s., the goods of Charles Coryton Hutchins: and 1 printed book, value 7s., the goods of George Evitt; and afterwards, about the said hour, did feloniously and sacrilegiously break out of the said church.

MR. CHAMBERS conducted the Prosecution.

MARY JOHNSON. I am the wife of Benjamin Johnson. I am pew-opener in the district church of Christ Church, in the parish of Camberwell—Divine service is performed there according to the rites of the Church of England—there was divine service there on Holy Thursday, the 28th of May—it was over about two o'clock—I was the last person in the church at that time—I left it at two o'clock—the windows were all shut, and fastened in the usual way—there are four doors to the church—two of them I had under my care, which were the centre door on the south side, and the west door—they were both fastened—the other gallery pew-openers attend to the other doors—the west door was bolted top and bottom, I am certain, and the centre door had half of it bolted top and bottom—the other half was locked—I pulled it to when I went out, and locked it when I was out—I gave the key to William Whitchurch, the clerk—I will not swear to the prisoner, but I believe I have seen him at the church—I only saw his face, and the upper part of his person; but if you were to ask me if I had seen him there, I should say yes—that was on the Tuesday and Wednesday in Passion week—he was sitting in the free seats—on Friday morning, the 29th of May, Maria Monk called me into the church about one o'clock in the day—I missed the blue baize cover from the table in the vestry, and a looking-glass—the vestry is part of the church—you go through a small door from the church to it, but it is under the same roof—there is no other way of getting to it but through the church—I had seen the baize and the looking-glass safe when I left at two o'clock on the Thursday.

ELLEN MITCHELMORE. I am one of the pew-openers at Christ Church, Camberwell. On Holy Thursday, I saw the south gallery-door fastened by Maria Monk—it has folding doors—they were bolted top and bottom, with four bolts—about two o'clock I went out at the middle door with Maria Monk and Eliza Farr, but left Johnson there—I have seen the prisoner three times in my gallery, on two Sabbaths, and on the Thursday before Good Friday—he was there during the whole of divine service on each time—he spoke to me on the day before Good Friday and said, "Will you have Sacrament to-morrow?"—I said, "No, not till Easter Sunday"—he said he was surprised at that, and then went away—he was meanly dressed.

JOHN DICKER. I am a pawnbroker, and live in Three Colt-street, Limehouse, which is at least five miles from Camberwell. On Saturday afternoon, the 30th of May, the prisoner came to my shop and offered a Prayer Book and a Bible, which I produce—he wanted 4s. on them—I

saw that the names which had been written in those two books had been rubbed out—that excited my suspicion, and I asked where he lived—he said in St. Ann's Terrace, Limehouse—I knew there was no such place in Limehouse, and I told a person in his hearing to go for a policeman—the prisoner ran out of the shop—I ran after him—I caught him three or four hundred yards off—I brought him back, and took from him a paper parcel containing several Bibles and Prayer Books—I asked where he got them—he said he bought them for 15s.—I gave him in charge—I went to the station-house soon after, and saw him searched—these, and these other three books were found on him—they are two Prayer Books and one Lesson Book—she then said he had bought them.

HENRY HARTLEY (*police-constable K 236.*) I took the prisoner—I have taken care of these books ever since—he said he had bought the books, and afterwards, when he was at the station-house, he said, "As I have to tell the truth about the books, I found them on Thursday evening"—nobody had said any thing to induce him to say so.

Prisoner. I deny stating that I found them on the Thursday evening.

CHARLES BALDWIN. I live with my mother in the Old Kent-road—one of these Prayer Books belongs to her—her name is Mary Ann Baldwin—her name has been in the book, but it is rubbed out—this Prayer Book and Lesson Book belong to my sister, Mary Ann Baldwin the younger—they had been kept in the pew in Christ Church, Camberwell—I had seen them on the Sunday before Holy Thursday.

CHARLES CORYTON HUTCHINS. I attend divine service at Christ Church, Camberwell—this case, which contains a Prayer Book, Lessons, and a Testament, is mine—I had them in use on the Sunday before Holy Thursday—they were left locked up in a small cupboard in the pew I sat in.

GEORGE EVITT. This Prayer Book is mine—I left it in my own pew in Christ Church, on the Sunday before Holy Thursday.

MARIA MONK. I am one of the pew-openers at Christ Church. I left on Holy Thursday before Mary Johnson—I saw the south gallery-door fastened and bolted inside—I know Mrs. Baldwin's books and Miss Baldwin's—these are them—I left them on the cushion in Mrs. Baldwin's pew on Holy Thursday—I went to the church again the next day, between twelve and one o'clock—I went in at the centre door, by unlocking it—that door was quite safe—I saw books lying scattered about the pews—I missed several books, and among the rest Mrs. and Miss Baldwin's—I saw the south gallery-door was unbolted and unlocked, and only pulled to—a person in the church could get out by unbolting the south gallery-door, which leads into the church-yard by going down two steps.

WILLIAM WHITCHURCH. I am clerk of the District Church of Christ Church, Camberwell. In the afternoon of Holy Thursday, I went to show the church to some friends—I went in at the centre-door, by unlocking it—I did not open any of the other doors, or any of the windows—I went into the vestry—I saw nothing whatever disturbed—I think the looking-glass and blue baize were both there—I should have noticed if they had not—I am not positive about the looking-glass, but the table-cover I am certain I saw—I and my friends left at nearly half-past six o'clock—I went out at the same door I went in at, and locked it.

GEORGE HALL POWNALL. I am one of the churchwardens of Christ Church, Camberwell, and there is one other. The piece of blue baize

and the looking-glass were kept in the vestry—they belonged to the vestry.

Prisoner's Defence. I found the books in the high road—that is the truth.

GUILTY. Aged 25.—Transported for Seven Years.

Before Mr. Sergeant Arabin.

1800. JAMES KIMBER was indicted for stealing, on the 16th of June, 1 printed book, value 6d. ; 1 shilling, and 1 sixpence ; the property of Joseph Knollys Pulley, his master.

JOSEPH KNOLLYS PULLEY, Jun. I am the son of Joseph Knollys Pulley, a pork-butcher, in Lambeth Marsh. The prisoner lived in the house about eight weeks, and assisted in the shop—I suspected him, and watched him on the 16th of June—we keep our money in two bowls behind the counter—about nine o'clock in the evening I saw him take 1s. 6d. out of one of the bowls, and put it into his mouth—I went, and asked what he had got—he said, “Nothing”—I put my hand to his mouth—he bit my finger, and would not let me feel—I said I would get an officer—I then got 1s. 6d. from his mouth—he wanted us to forgive him, and went down on his knees.

JOHN SHERIDAN (*police-constable L 64.*) I took the prisoner.

Prisoner's Defence. I was going to give the 1s. 6d. in change for half-a-crown, and he came, and said what had I got—I thought it was his theatrical larks—he took it from my mouth, and tore my shirt.

NOT GUILTY.

ADJOURNED TO MONDAY, JULY 6TH, 1840.

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CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. NINTH SESSION.

A star () denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk † that a prisoner is known to be the associate of bad characters.*

LONDON AND MIDDLESEX CASES.

OLD COURT.—Monday, July 6th, 1840.

First Jury, before Mr. Recorder.

1801. SAMUEL JENKINS was indicted for embezzlement.

MESSRS. ADOLPHUS and BODKIN conducted the Prosecution.

JOHN PARE. I am an iron manufacturer, in partnership with John Young and Edward Thomas Robinson—we have an establishment at Wolverhampton, and also premises in Chiswell-street, London. The prisoner entered our service about the beginning of January, 1839—there was a written agreement between us, this is it—(*looking at it*)—the firm was then constituted as it is now—Mr. Robinson is a sleeping-partner, his name does not appear in the firm—it does in the partnership terms.

THOMAS DAVID TAYLOR. I am a solicitor. I prepared this agreement, and am a subscribing witness to it—I saw it executed, I was the prisoner's attorney—(*the agreement being read contained the following clause*, "And also that the said Samuel Jenkins shall not, nor will at any time, or hereafter, on any pretence or account whatever, receive, get in, or obtain any monies, bills, or securities for money, of or from any person or persons who shall have been supplied with goods by the said John Pare and John Young, or on their account, unless by the express permission of them, or one of them, to be first had and obtained in writing.")

JOHN PARE *re-examined*. The prisoner travelled for us, and collected orders, which I executed for him from time to time—in Midsummer, 1839, I employed him to collect debts—Benjamin Allen, of Camden-row, Kentish-town, and Mr. Harrison, of Hackney, were customers of ours—the prisoner had a collecting-book—it is here—(*looking at it*)—here is the name of Benjamin Allen, and the sum of 5*l.* 5*s.* 10*d.* entered against it, in the hand-writing of Mr. Rook, my clerk—it was the clerk's duty to enter accounts in this book, hand it over to me, and I gave it to the prisoner, with instructions to receive the account so entered—that was the course—I furnished the prisoner with this book, with that entry in it—he was to enter the cash he received in this blank column.

COURT. Q. Is there any minute in the book at all directing him to receive the several sums of money? A. No; I also gave him, in the case of Mr. Allen, this written account—it is the mere account, shewing a balance of 5*l.* 12*s.* 7*d.*

MR. BODKIN. Q. Did you give him any verbal directions when you gave him that account? **A.** I did; to take the account, and receive the monies as soon as he could—he should account to me for such monies the same day he received it—the amount entered in this book is 5*l.* 5*s.* 10*d.*—I see by the ledger (*looking at it*) that he accounted to me for 3*l.* on the 28th of October—that left a balance of 5*l.* 5*s.* 10*d.*—the account I gave him to collect was 5*l.* 12*s.* 7*d.*, but after that Mr. Allen had more goods—he had the same authority to receive that—it seems Allen produced his old account, and the prisoner has given him credit for cash received on that 3*l.* in the first instance, and 2*l.* 12*s.* 6*d.* in the second instance—2*l.* 12*s.* 7*d.* was the balance left from the first account—but there was a little arrear, or something of the kind, that would reduce it to 5*l.* 5*s.* 10*d.*—the account I gave him to receive in Michaelmas last was 5*l.* 12*s.* 7*d.*—he has never accounted to me for any other money received of Mr. Allen than the 3*l.* I have mentioned—a balance of 2*l.* 12*s.* 7*d.* is left in this account—there is no entry at all in the collecting-book of money received for Mr. Allen—the balance of 2*l.* 12*s.* 7*d.* has never been paid over to me—my partner is here—I was the only partner in town at the time those instructions were given to him—there was no other partner attending to the business in London at that time—I also gave the prisoner directions to collect some money from Mr. Harrison, of Hackney—I think that account was delivered to the prisoner at Michaelmas—here is 20*l.* 17*s.* 5*d.* entered in the book, in the prisoner's own hand-writing—I did not see it entered—it is entered as due—he has never accounted to me for any part of that sum—there is no entry of the receipt of any portion of it in this book—I gave him an account of that in the same way as Mr. Allen's—this is the account I delivered to him—(*looking at it*)—it is in my own hand-writing—this part has been written since—it is all in the prisoner's hand-writing—I have since gone through a collecting-book with the prisoner—not this book, but one that corresponds with it, which I have—this one he had in his own possession—I cannot state the precise day upon which I gave him this account to collect—it was at Michaelmas, it is a Michaelmas account—we settled in March this year—I asked him several times when these accounts would be paid—in January, I asked him particularly, and several times subsequently; the last time was in March, or the beginning of April—I asked him when these accounts would be paid, meaning Allen's and Harrison's—he stated that he had applied for them several times, and would see the parties again respecting them—he said so in March—he did not state what answer he got, and I did not press the matter, as we have many accounts which stand over, a long time before they get paid.

Cross-examined by MR. PHILLIPS. Q. Has this prosecution been instituted by the wish of Mr. Young, your partner? **A.** Not by his particular wish—I did not consult him upon it—he has communicated with me about it—he has communicated to me, in writing, his wish that it should not be proceeded in, and since the prosecution was commenced, he has verbally done so—I have never offered to settle it, that I positively swear—I never asked any particular sum of money to settle it—I never, in the presence of a Mr. England, required 96*l.* to stop proceedings—I never said to Mr. England that I had found out 4*l.* more, and must get 100*l.*—I remember driving Mr. England to Mr. Tucker's, the solicitor at Layton—Mr. Tucker was my attorney—he is in Court—he was not subpoenaed by me—I might

have said to Mr. Tucker, in Mr. England's presence, that the prisoner had received sums amounting to 100*l.*—I dare say I did—I have often said that, and may have said it to Mr. Tucker—I cannot swear either way, I cannot charge my memory—I said that Jenkins had been overpaid by me 15*l.*, and that I had lent him 10*l.*, and that a bill had been delivered to me amounting to 15*l.*, for work done at Jenkins's house—I did not say that the law expenses would be 10*l.*, making in the whole 150*l.*—I said I had no doubt we were losers in the transaction, to the amount of 150*l.*—I do not recollect saying that the law expenses amounted to 10*l.*—I did not say unless I received 150*l.* I would go on—the prisoner has no demand against me whatever, that I swear—I never said, in the presence of Mr. England, that unless I had 150*l.* and a full discharge of any amount the prisoner had against me, I would not consent to an arrangement—that I swear—in order to convince Mr. England, who was a customer of ours, and who was rather obstinate in the affair, that it could not be compromised, I took him to an attorney—I do not know that I went more than once to Mr. Tucker's with Mr. England—it was on Easter Monday I went—I saw Mr. England again some time in May—I read to him this letter, which I had received from my partner, Mr. Young.

COURT. Q. Have you had any communication with Mr. Young on the propriety of employing the prisoner to collect these accounts? A. Yes, previously to entering into the agreement, but not since—I had no communication with Mr. Young that I should employ the prisoner to collect these since entering into the agreement prohibiting him to receive money with out a written order.

MR. PHILLIPS. Q. When you were short of money yourself had you ever given the prisoner permission to receive money and appropriate it to his own use? A. No, except on one occasion, when I had occasion to leave home in February last for two or three days—the prisoner asked me what he was to do for cash to pay his expenses with—I said, "You cannot require any because your commission includes all expenses, but if you receive any, and it is absolutely necessary, you may devote some of the money you receive in my absence until I come home," but he did not receive any money while I was away—I will swear I never said that except on one occasion—that was about February or the beginning of March this year—I have settled accounts with the prisoner up to Christmas, and subsequently up to the 20th of March I think—I will swear I made a settlement with him up to March in my own counting-house—nobody was present—it was in writing—I have it here.

MR. BODKIN. Q. Is this the account? A. Yes—here is a balance due to me of 15*l.* 10*s.* 4*d.*; that was a mutual settlement between us—it was not signed by either of us—the account of the expenses is here up to the same time, the 19th of March, and that is signed by the prisoner—it is not brought into this general statement—it is a distinct affair—it is in the nature of extra service—the account is merely one of sales effected, and his commission upon it—he stated that he had not received either of the sums in question.

BENJAMIN ALLEN. I am a builder, and live in Camden-row, Kentish-town. I have had transactions with Pare and Co.—they formerly had an agent named Collins before the prisoner—the prisoner came to me about September last, and brought me this account, amounting to 5*l.* 12*s.* 7*d.*—I paid him 3*l.* on account—he said he came from Mr. Pare, and that he

had succeeded Mr. Collins—Mr. Collins never collected money, but he served me with goods—the prisoner came again in November—I then paid him the balance, 2*l.* 12*s.* 6*d.*, and he gave me a receipt for it.

Cross-examined by MR. CLARKSON. Q. Are those the only two sums you have paid? A. That is all. I had the last lot of goods I think about three days before Christmas—they amounted to 2*l.* 13*s.* 2*d.*—I have not paid that.

WILLIAM HARRISON. I am a builder and live at Hackney. I was a customer of Pare and Co.—I know the prisoner—I gave him orders on account of the firm—he called on me with this account on the 10th of January—it is 20*l.* 17*s.* 5*d.*—I paid him the amount—there was a discount of 5*s.* 5*d.*—I paid him 20*l.* 12*s.* 6*d.*, the balance—here is his writing on the bill.

SAMUEL ROOK. Here is an entry of 5*l.* 5*s.* 10*d.* in this book, which I made by desire of Mr. Pare—(*looking at the book*)—I cannot say whether this is Jenkins's collecting-book—I believe it was Mr. Pare gave it to me—the entry is, "B. Allen, Kentish-town, 5*l.* 5*s.* 10*d.*."—I do not recollect seeing that book given to the prisoner.

MR. PARE *re-examined.* Q. How was the prisoner to be remunerated for collecting these sums? A. In the shape of extra service, as it says in the agreement—I should have treated it as if he had a written order.

Q. Why not give him a written order? A. I considered the entering in the book and giving him the account was sufficient authority—in the first six months he did not receive any money—I am not aware that my partner knew I was allowing him to receive debts due to the firm without a written authority—he knew I had given him instructions to receive the accounts, but I do not suppose he knew whether I had given him a written authority or not—I was not aware that it was necessary to give him a written authority to receive it—he never made any objection to it.

MR. PHILLIPS. Q. Do not you know that since the prosecution has been instituted Mr. Young has given the prisoner the shelter of his house? A. I do know it.

JURY. Q. Does this book contain the first collection he made for the firm? A. Yes—I did not on that or any subsequent occasion deliver to him any other instruction than the book and the bills of account.

GUILTY.* Aged .—Judgment Respited.

1802. JOSEPH GUNNER was indicted for assaulting John Pritchard, with intent, &c. NOT GUILTY.

NEW COURT.—*Monday, July 6th, 1840.*

Fifth Jury, before Mr. Common Sergeant.

1803. JOHN MILLS was indicted for stealing, on the 22nd of June, 1 fork, value 20*s.*; 2 spoons, value 19*s.*; 1 mustard-pot top, value 4*s.*; 1 thimble, value 1*s.* 6*d.*; and 1 tumbler glass, value 1*s.* 6*d.*; the goods of William John Richardson, his master; to which he pleaded

GUILTY. Aged 17.—Confined One Month.

1804. THOMAS PARSLEY was indicted for stealing, on the 22nd of

June, 1 jacket, value 2s. ; 1 knife, value 1d. ; 2 shillings, and 2 halfpence, the property of James Hearne, from his person ; to which he pleaded
GUILTY. Aged 64.—Confined Three Months.

1805. **JAMES JOHNSON** was indicted for stealing, on the 1st of July, 1 handkerchief, value 1s., the goods of a man unknown, from his person.

JOHN MARON. I am a butcher, and live in St. Agnes-terrace. About six o'clock in the morning of the 1st of July I was in Leadenhall-street, and saw the prisoner take this handkerchief from a gentleman—I acquainted the gentleman of it—the prisoner turned and saw me, and made off—I directly pursued him round Billiter-street, down Mincing-lane, and lost sight of him—he was taken into custody coming up St. Dunstan's-hill within ten minutes—this is the handkerchief I saw him take—I am sure he is the man—I lost the gentleman, and do not know his name.

Prisoner. Q. You saw me pick it up? *A.* No—I saw you draw it from the gentleman, who said he would wait, but when I came back he was gone.

WILLIAM WILLIAMS (*City police-constable, No. 503.*) I was going up Mincing-lane—the prisoner passed me—the butcher called, “Stop him”—I turned, and followed—he threw the handkerchief down, and a person took it up, and gave it to me—I pursued, and took the prisoner—I produce the handkerchief.

Prisoner's Defence. I saw it in a door-way, and took it up—the butcher called, and said, “That is the man”—I put it into my pocket—I was intoxicated, and ran off, and heard a cry of “Stop thief”—I threw it down—I came back, and gave myself up.

GUILTY. Aged 19.—Confined Three Months.

1806. **WILLIAM NOWLAN** was indicted for stealing, on the 20th of June, 1 tobacco-pouch, value 2d. ; and 4 sovereigns, the property of Thomas Garlick, from his person.

THOMAS GARLICK. I am a mariner, belonging to the brig *Staples*, and lodge in Kent-street, Borough. On the 20th of June I met the prisoner in a public-house, and began to drink—we went to the play, then went into Kent-street to sleep with Elizabeth Morris—I paid for the bed—I took the prisoner there—we went to bed about two o'clock in the morning—I went to bed with Elizabeth Morris, and the prisoner went into the next bed to me—I had a tobacco-pouch and four sovereigns in it when I went to bed—I had taken my jacket and shoes off, but I had my waistcoat on—Elizabeth Morris awoke me about three o'clock, and said, was my watch gone?—I said, “No”—I did not see any body take this property from me—it was done in my sleep—no one was in the room but us three—he went to the Birmingham Railway, and I went after him—this is my pouch—(*looking at one*)—I made it myself, in Greenland—the prisoner knew I had it.

ELIZABETH MORRIS. I am a friend of the prosecutor's. He was very much intoxicated—he laid down on the bed, and went to sleep—after that the prisoner desired me to move further, that he might take 1s. out of the prosecutor's pocket—I said I would not do such a thing, he had behaved very well to us, and then he made a *dive* right upon the prosecutor, and took something—I thought it was his watch—I asked the prosecutor if he had taken his watch—he said no, he had not, and at four o'clock the landlord asked if he had lost any thing, and said the prisoner had broken two

locks, and got out—a *cab*-man told me that he had taken a *cab*, and gone to the Birmingham Railway, and we went after him.

RICHARD NEED (Railway-police, No. 3.) I was on duty at the Birmingham Railway on the morning of the 21st of June—a *cab* drove up with the prisoner in it—I went after him, and saw him take this pouch out of his pocket, take out a sovereign, and pay the *cab*-man 3s.—I took the pouch, and found in it two more sovereigns—the prosecutor came up, and charged him with stealing the pouch containing four sovereigns, but there were only three sovereigns.

GUILTY. Aged 18.—Confined Six Months.

1807. HANNAH ELMORE was indicted for stealing, on the 20th of June, 2 pairs of stockings, value 1s. 6d.; 10 yards of calico, value 6s. 8d.; 6 yards of fringe, value 1s.; 2 yards of lawn, value 4s.; and $\frac{1}{2}$ of a yard of dimity, value 1s.; the goods of Henry Collard Wraith, her master.

MARY WRAITH. I am the wife of Henry Collard Wraith, we live at Victoria-cottages, Hackney. On Saturday, the 20th of June, I thought it necessary to send for a policeman, and my husband asked the prisoner (who was our servant) if her drawers should be searched—they were locked—I found in her drawer two pairs of silk stockings, worth 18s.—I am sure they were mine—they had never been worn by me—they were dirty when I found them—I swear they were the stockings I lost—I found the other things stated—I lost some lawn—she only had one square of that—the other things are mine.

Prisoner. The calico and lawn are mine. Witness. I lost a certain quantity of the same kind—I have brought some pieces to compare—this is it, and here is the person I bought it of.

MARIA CROSBY. I am a shop-keeper. I sold this lawn to Mrs. Wraith.

JESSE PAKES (*police-sergeant N 16*.) I was sent for to examine these drawers—all these things were found in them—the prisoner had the key—she took it from under the table.

GUILTY. Aged 26.—Confined Six Months.

1808. JAMES LEACH was indicted for stealing, on the 20th of April, 1 sideboard, value 4l., the goods of Henry Hartridge, his master.

HENRY HARTRIDGE. In April I gave the prisoner materials for making a sideboard, and cash to go on with the work—when it was finished he ought to have brought it to me, which he did not do—he was not my servant.

NOT GUILTY.

1809. CATHERINE KING was indicted for stealing, on the 29th of June, 4 pairs of shoes, value 4s. 6d.; 1 other shoe, value 6d.; and 1 pair of boots, value 2s. 6d.; the goods of Israel Foster.

SARAH FOSTER. I am the wife of Israel Foster, and live in Lower-road, Islington. About half-past seven o'clock, on the 29th of June, I saw the prisoner passing the shop—she came to the stall at my window—I saw her pick up some shoes from where they were, and put them into her apron, she then went to the rail of the window, and untwisted a pair of women's leather boots—I went to her—she had got the boots off, and they were in her apron—I asked what she had got there—she said nothing belonging to me—I said, "Yes, you have taken these shoes, let me see"—she said, "I won't"—I opened her apron, and found the shoes and boots—these are them.

WILLIAM WATSON (*police-constable N 46.*) I took the prisoner, and found these shoes and boots in her apron.

GUILTY. Aged 15.—Confined Six Months.

1810. THOMAS MATTHEWS was indicted for embezzling, on the 23rd of May, 2*l.* the monies of Robert Gardner, his master; and that he had been before convicted of felony: to which he pleaded

GUILTY. Aged 16.—Transported for Seven Years—Convict Ship.

1811. JOHN HICKS was indicted for stealing, on the 23rd of June, 3*lbs.* weight of pork, value 1*s.* 6*d.*, the goods of Philip Greedus; to which he pleaded

GUILTY.** Aged 29.—Transported for Seven Years.

1812. JOHN SIMPSON was indicted for stealing, on the 23rd of June, 1 waistcoat, value 6*s.*; 1 knife, value 3*d.*; 1 handkerchief, value 6*d.*; 1 bag, value 3*d.*; 1 loaf of bread, value 4*d.*; and 1*lb.* weight of cheese, value 9*d.*; the goods of William Wade: and 1 waistcoat, value 1*s.*; 1 knife, value 1*s.*; 1 bag, value 3*d.*; 1 iron wedge, value 1*d.*; 1 loaf of bread, value 4*d.*; and 1*lb.* weight of cheese, value 9*d.*; the goods of Samuel Baulk.

WILLIAM WADE. I am a labourer, and live at Abingdon, in Cambridge-shire. I came up to mow, and was employed by Mr. Higgins. On the 23rd of June I laid my waistcoat in the field, about ten yards from the hay—I lost my waistcoat, my bag, and all the other things stated—these are them—(*looking at them*)—I had seen them all safe about eight o'clock that morning.

CHARLES TOOMES (*police-constable S 147.*) I was on duty on Hampstead-heath, and was informed that some mowers had lost some clothes—I found the prisoner lying on the furze, apparently asleep, about a mile and a quarter from the field where the men were mowing—I said, "What have you got here?"—he said, "Nothing"—I found these articles on him—I took him back to the mowers, and they identified the property.

SAMUEL BAULK. I am a labourer. I lost a waistcoat, a bag of victuals, a small iron wedge, and a knife from the field—these are the articles—(*looking at them.*)

Prisoner's Defence. I picked them up in the road.

GUILTY. Aged 51.—Confined Three Months.

1813. GEORGE NICHOLSON was indicted for stealing, on the 22nd of June, 1 pair of trowsers, value 10*s.*, the goods of Christopher William Nockells, in a vessel in a port of entry and discharge.

ROBERT TAYLOR. I am a constable in the East India Docks. On the 22nd of June I stopped the prisoner coming out of the gate with the labourers—he appeared rather bulky—I asked what he had got under his trowsers—he said, "Another pair"—I said, "Do you wear two pairs of trowsers?"—he said, "Yes, because I have no drawers"—I found on him this pair of trowsers, which he said he had bought on the Saturday before, at Mr. Abbott's, for 4*s.* 6*d.*—he showed me the house—I asked Mr. Abbott if he had sold them—he said, "No, I never had such a pair, and if I had, I could not have sold them for less than 12*s.* or 14*s.*"

HENRY MORING. I am apprentice on board a vessel which was lying in the Docks, which is a port of entry and discharge. Christopher William Nockells, the captain, had a pair of trowsers in the chest on board—I can-

not say when I saw them safe—I cannot swear positively to these trowsers, but I believe they are his—I think I have seen the prisoner on board.

JOHN LANE. I am in the employ of a slop-seller in Lombard-street. We sold these trowsers to Captain Christopher William Nockells, in June, 1837.

Prisoner. I bought them on the Saturday night, but I could not swear where—the tailor would not swear to the trowsers at the Thames Police—I should wish to know how he can swear to them? *Witness.* We made the captain a stout pair of trowsers and a jacket, and we lined the trowsers in a particular manner, which we do not often do—these correspond in lining and in size.

GUILTY. Aged 21.—Confined Six Months.

1814. ROBERT GREEN and CHARLES WILLIAM GREEN were indicted for stealing, on the 20th of June, 5 loaves of bread, value 2s. 4d., the goods of Richard Hitch and another.

JOHN MILLER. I am in partnership with Richard Hitch—we keep a baker's shop at Islington. I missed five loaves on the 20th of June—I had seen them safe three minutes before—one of them has been found—it is ours.

FRANCIS PARFLACK. I keep a green-grocer's shop. The prisoners passed my house on the 20th of June, and Robert Green had an apron full of bread—I should say he had as many as five loaves—they were then about fifty yards from the prosecutor's shop—I went to Mr. Miller's and inquired—I said, "Come with me"—we went, and apprehended Robert Green, and found one loaf on him.

Charles William Green. Q. How far was I from my brother? A. Four or five yards—after we apprehended him, you walked away.

JOHN DENNIS (*police-constable N 231.*) I received the prisoner Robert Green between twelve and one o'clock—I have the loaf.

C. W. Green's Defence. I had been fishing, and in going up the New North-road I missed my brother—I walked on, and when I came up to him, I asked him what he had got—the witness then came up, and my brother ran away—when I got home at night, my father said the policeman had been after me—I was coming to the station, and the constable took me.

ROBERT GREEN*—GUILTY. Aged 12.—Confined Three Months.

C. W. GREEN—NOT GUILTY.

1815. DENNIS M'CARTHY was indicted for stealing, on the 22nd of June, 27lbs. weight of lead, value 3s. 6d., the goods of John Seaward and others.

JOHN SULLY HOOD. I am a plumber. I was employed by Mr. Seaward's to put some lead on a building of theirs, six or seven months ago—I have compared the lead found by the officer, with the place where I placed it—it appears to match exactly—it was fixed to the building.

THOMAS FOX. I am a Thames police-constable. I saw the prisoner coming over the West India Dock-bridge, on the 22nd of June, about ten minutes past six o'clock in the evening—he went to a marine store-shop, and I saw him take this lead from under his frock, and throw it down into the shop—he was taken into custody, and said he had picked the lead up,

JOSHUA JUDGE. I am a Thames Police-constable. I was about to search the prisoner, and he took out of his pocket a knife, which appeared

to have been used for cutting lead—I have compared this lead with that on Mr. Seaward's house—it appears to have been recently cut, and it corresponds.

WILLIAM FREDERICK HAMMOND. I am clerk to Mr. John Seward—he has two partners.

Prisoner's Defence. I found the lead under the scaffold.

GUILTY. Aged 56.—*Recommended to mercy.*—Confined Two Months.

1816. **JOHN COCKEY** was indicted for assaulting Elizabeth Pratt, with intent, &c. **NOT GUILTY.**

OLD COURT.—*Tuesday, July 7th, 1840.*

Second Jury, before Mr. Recorder.

1817. **ANN KENNEDY** was indicted for burglariously breaking and entering the dwelling-house of John Simmonds, about twelve in the night, of the 17th of June, at St. Giles-in-the-fields, with intent to steal, and sealing therein, 1 cap, value 3d.; 2 handkerchiefs, value 9d.; 1 towel, value 3d.; $\frac{1}{4}$ lb. weight of beef, value 2d.; and 14 halfpence; his property: to which she pleaded

GUILTY.*** Aged 26.—Transported for Ten Years.

1818. **JAMES LEWIS** was indicted for breaking and entering the dwelling-house of John Lines, on the 15th of June, at St. Luke's, and stealing therein, 1 saw, value 3s. 6d.; 1lb. weight of pork, value 6d.; and 2 bird-cages, value 3s.; his property.

JOHN LINES. I live in Twisters-alley, Bunhill-row, St. Luke's. On Tuesday, the 16th of June, I went into my workshop, at the bottom of my yard, a wall encloses it with the house—I found the shutter was broken down, which had been nailed up for five months—on looking about I missed a hand-saw, two birds, and two cages, and some pork—I afterwards found one bird in the cage, in Chequer-square—Mr. Tarbox, who had bought it, detained the prisoner while I went for a policeman.

Prisoner. The workshop is fifteen feet from the dwelling-house; he now indicts me for breaking and entering the dwelling-house. *Witness.* My shop is at the bottom of the premises—the garden is now taken in, and made a shop of—you go out into the open air to go to it.

WILLIAM TARBOX. I live in Chequer-place, Whitecross-street. On Tuesday, the 16th of June, the prisoner came to me with a linnet in a cage, to sell, at two o'clock in the day—I gave him 1s. for them—he said he had had it above six months, and told me to be very careful, and mind what seed I gave it, and to give it the same as he had given it himself—in consequence of inquiry, I afterwards went and found him behind an old house, in Chequer-square—I told him a gentleman had called about the bird—he then said he bought it of a man in Old-street, for 8d.—he was apprehended on the 17th.

Prisoner. Q. Did not you leave me, and go into your house, and did not I wait till the policeman came? *A.* Yes, there were two or three persons round; you could not run away.

JOHN STONE. I am in the employ of Warren and Fowler, in Old-street, St. Luke's, pawnbrokers. On the 17th of June, the prisoner pledged a

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saw—he asked 2s. on it—I lent him 1s. 6d.—he said it was his own, and I took it in—I am not certain of the time.

EDWARD SLARK (*police-constable G 100.*) I received charge of the prisoner—he said he bought the bird of a man in Old-street, for 8d.—I found 3s. 4½d. on him—he said he met a man in Whitecross-street, who asked him to buy the saw, that he said he would not buy it, and then he pawned it for him.

(*Property produced and sworn to.*)

GUILTY. Aged 20.—Of Stealing only.—Transported for Seven Years.

1819. JAMES WATTS was indicted for stealing, on the 23rd of June, 1 watch, value 1l. 10s., the goods of Timothy Stafford.

RICHARD STAFFORD. I am the son of Timothy Stafford, a watch-maker, of Bridge-place, City-road. On the 23rd of June, between seven and eight o'clock, in the morning, the prisoner came to the shop, and asked for a gold watch-key, which was in the window—he came round the counter, and pointed it out—he moved the velvet, then made another move, and said he had made up his mind to have a metal key—he paid 2d. for one, and went out—I had noticed his making a move when he pointed to a gold key, near the end of the window, and then I saw his hand half in and half out of his pocket—he was looking at the window where a silver watch hung—it was the only silver one there—some hours after he had left I missed it—I had seen it safe half-an-hour before he came in—nobody but my father had been in the shop, from the time the prisoner left till I missed it—last Monday week I saw him in the street—(I had seen him frequently before this)—I went up to him—he ran away—I called “Stop thief,” and he said he would kill me if I did not hold my noise—my father afterwards joined me in pursuit of him, and he was secured—he said he did not know our shop, and denied having been there—I am certain it was him—I did not notice the watch while he was in the shop—he looked towards where I had hung it up.

TIMOTHY STAFFORD. I am the witness's father. The watch was worth about 30s.—I was present when the prisoner said he had never been in the shop—I gave him in charge—several days previous to the watch being stolen he was at my window, lurking about the shop with four more—my son called my attention to him several times, and when I came to the window he always went away—I never touched the watch—we missed it about half-past ten o'clock.

THOMAS TYLER. I am a policeman. I took the prisoner into custody, and found 2d. on him.

Prisoner's Defence. I was walking out; the boy ran after me; I stopped directly—he told me I was a thief, and wanted me to come back to his father; I asked, “What for?”—another man came up and caught hold of me, and his father gave me in charge. **NOT GUILTY.**

1820. JOHN TAYLOR was indicted for stealing, on the 29th of June, 1 pair of sugar-tongs, value 15s.; 1 knife, value 5d.; 1 fork, value 5d.; and 1 spoon, value 5s., the goods of John Whiteside.

JOHN WHITESIDE. I live at Hampstead. I lost the articles stated from my house on the 29th of June—I heard of it when I returned in the evening.

PETER NEAL. I am a porter and messenger. On the 29th of June, about half-past two o'clock, I was delivering letters in the Hampstead-

road—I was attracted by a man going into every garden he could find open, with sealing-wax in his hand, and going up to the houses—I was delivering letters at the same houses—I watched, and saw the prisoner lurking very close behind him—a short time after, I saw him join the young man in conversation—I was coming in the same direction as them, and at the corner of Armwood-street I told them if I caught them in that situation again I would lock them up—they immediately separated—the prisoner went down Armwood-street and the other towards London—my business took me down Armwood-street with my letters—I went after him, came up with him, and asked if he had any thing on his person—I think his answer was “No”—I was not satisfied, and commenced searching his coat pockets—I did not put my hand into them, but felt outside—he pulled out of his trowsers’ pocket a sovereign and some silver—I pulled his hat off, and saw a handkerchief with something wrapped up in it—I took hold of it—he immediately ran away—I pursued, calling out, “Stop him”—he was stopped at the top of Armwood-street—I sent a man for a policeman, but no one came, I took him down to a public-house at the corner of Park-street, where he made a struggle and nearly succeeded in getting away—three policemen came up and I gave him in charge—the handkerchief contained a pair of sugar tongs, a knife and fork, and a spoon—when I saw him with the other man they were about a mile from the prosecutor’s house, which is on Downshire hill.

Cross-examined by MR. PHILLIPS. Q. Is it any thing like a quarter of a mile from the public-house to Downshire-hill? A. I speak to the best of my judgment—I was employed by the authorities of St. Pancras that day—my business took me over the bridge—I did not see the prisoner go into any gardens at all.

GEORGE COLE. I am a policeman. I took the prisoner into custody and found on him a sovereign, 5s., and two four-penny pieces—at the station-house Neal delivered me this handkerchief and plate.

(Property produced and sworn to.)

(MR. PHILLIPS, on the prisoner’s behalf, stated that the other boy had given him the property.)

PETER NEAL *re-examined.* Q. How far from any of the gardens did the prisoner join the other man? A. It might be ten or twelve houses off—I did not see the prisoner nearer to the prosecutor’s house than Chalk Farm-lane.

(The prisoner received a good character.)

GUILTY. Aged 21.—Transported for Seven Years.

1821. JEREMIAH MOYNAHAN was indicted for stealing, on the 1st of July, 1 box, value 4d. ; 9 gowns, value 2l. 18s. ; 3 petticoats, value 9s. ; 1 shift, value 2s. ; 2 aprons, value 3d. ; 1 pair of stays, value 3s. ; 5 pairs of stockings, value 5s. ; 2 bed-gowns, value 4s. ; 8 caps, value 8s. ; 8 printed books, value 16s. ; 3 handkerchiefs, value 3s. ; 1 yard of linen, value 3s. ; 1 medal, value 2d. ; 1 watch-key, value 2d. ; and 1 breast-pin, value 5s. ; the goods of Mary Madden.

MARY MADDEN. I live at my uncle’s, in New-street, Commercial-road. I came to London from Cork by a steamer, on the 1st of July—I came on shore between half-past six and seven o’clock—I had a square deal box—I saw the prisoner on the stairs at Wapping—I was agreeing with a boy to take my box for 1s., and the prisoner came up and offered to take it for

6d.—I let him take it—it contained the articles stated, which were worth above 5l.—I asked him where Samuel-street, Commercial-road, was—he said he knew it, and he would show me—I was with him nearly an hour, and then suddenly I missed him—I was asking a girl where Samuel-street was, at the time, and he passed on—I found out my uncle's house—I was afterwards with the police in St. Giles's, when the prisoner was apprehended—I have since seen a broken gold ring, a medal, and a watch-key, which I know.

Prisoner. You told me it was No. 10, Daniel-street. *Witness.* I told him Samuel-street, and asked him if he knew Providence-street, which I understood was next to it—he said he did know it—he took me to several places.

JOHN NORTH (*police-constable H 90.*) On the 1st of July the prosecutrix came to me at the station-house in St. Giles's, and took me to Buckridge-street, where I saw the prisoner—her uncle was with her—she gave the prisoner in charge for stealing her box—he denied having seen her at all, or her box—at the station-house I found a medal, a gold breast-pin, a watch-key, a duplicate, a handkerchief, and a tobacco-box on him—he then said he had left the box at the corner of a street, in the possession of the prosecutrix, and that she and the box were gone when he came back.

Prisoner. I told him when I got to the station-house I would tell him all about it. *Witness.* He did not—he said he knew nothing at all about the box.

JOHN CORCORAN. I live in Glasshouse-street, Rosemary-lane. On the 1st of July I saw the prosecutrix in East Smithfield, in company with the prisoner, who was carrying a box—I knew her and told the prisoner she was a townswoman—he said he was going to No. 10, Samuel-street, Commercial-road.

Prisoner. She said so herself. *Witness.* She said she wanted to go to No. 10, Samuel-street, Commercial-road, and he said he knew it—the prosecutrix and her uncle afterwards found me—I went with them to St. Giles's, and met the prisoner—I asked him where the box was—he said he knew nothing of it—I told him that he did, and that he should give it up—he then said he had left it by the roadside.

Prisoner. You knew where I lived. *Witness.* I did not—it was about twenty minutes after six when I met them with the box.

MARY MADDEN *re-examined.* I missed him about half-past seven o'clock—this is my handkerchief, also this brass medal and this broken gold pin—(*looking at them.*)

Prisoner's Defence. She kept me a whole hour looking for the place; I was tired of carrying the box, and I laid it down and turned the corner to make water, and when I came back she was gone, and the box too; I told her if she gave me the direction I would find it, but she kept walking about and giving me the wrong name of the street; there was no such street as Daniel-street; I picked up the duplicate in the street.

MARY MADDEN *re-examined.* He did not ask if I was wrong in the name of the street—when I lost him he was about two streets off Samuel-street.

GUILTY. Aged .—Transported for Seven Years.

1822. SARAH HARRIS was indicted for feloniously assaulting Eliza-

beth Mary White, on the 1st of July, putting her in fear, and taking from her person, and against her will, 2 shillings, her monies: and immediately before, at the time of, and after the said robbery, feloniously beating and striking her.

ELIZABETH MARY WHITE. I am a widow, and live in Baltic-street, Old-street, St. Luke's—I get my living by going out charing. On Wednesday evening, the 1st of July, I went into Lascelles-court, St. Giles's—I saw the prisoner standing at the door of No. 7—I was taken unwell, and wished her to show me a private place—she took me to a room on the first floor, and furnished me with a convenience—I gave her 2*d.*—she said I had got more money about me, and instantly knocked me down, and said she would have all that I had or my life—she struck me violently in my body and my eyes, and tore my bonnet—the crape of it was terribly torn—she threw me down, put her hand into my pocket, and took out 2*s.*—she then left the room—I was quite stunned with the fall, and when I came down stairs she pushed me again, and tried to get my pattens from me—I saw King, the constable, and told him what had happened—I was quite sober, but very much agitated—I hardly knew how to get home.

Prisoner. I was at the top of the court when she came up, she had another female with her—she asked me to accommodate her—I took her into my room—she stopped about half-an-hour talking about her husband, saying she had been drinking all day, and was truly unhappy, and should I like something to drink—she gave me 2*d.*, and came down stairs—I said, “I don't wish to go out”—she laid hold of me, and dragged me by my shawl—another female came up—she gave her 1*d.* and dropped a halfpenny on the stones, which the other female picked up—I asked what it was—she said “You may keep it”—she said, “Well, I have lost 2*s.*, I have been robbed somehow;”—she said to the other, “Take my pattens and pawn them, and we will have something to drink”—she said, “You had better go and pawn them yourself.” **Witness.** It is not true—I did not talk with her about my husband, or that I drank because I was out of spirits about it—I did not offer to send for gin—I did not want to pawn my pattens—I did not accuse the other female of robbing me—she did not assault me at all—she came there to see what was the matter.

THOMAS KING (police-constable F 55.) On the 1st of July, between eight and nine o'clock, the prosecutrix came up to me at the end of Lascelles-court, and gave me information—I took the prisoner into custody in Lascelles-court—the prosecutrix charged her with robbing her, and another woman, as being with her—she did not express any doubt at that time who took her money—she said the two were together—she was sober, and had a great mark on her forehead, which is to be seen now—it appeared done at that instant—she appeared to have been beaten.

Prisoner. Q. Did you not say before the Magistrate that the woman said she did not know whether it was me or the other female that robbed her? **A.** She said there were two together—she charged you with being the person who knocked her down and robbed her.

Court. Q. Have you not said that she could not say which robbed her? **A.** She said there were two together when she first called me—I made immediate search after them—the first I met with was Mary Evans, who was acquitted before the Magistrate—the prosecutrix said she was with the prisoner—I gave my brother officer information, and he apprehended the prisoner—(looking at his deposition)—this is my signature—it was read

over to me before I signed it—(*The witness's deposition being read, stated, "I took Evans into custody, and last witness said she was one of the women who knocked her down, but she could not say who robbed her"*)—she stated to me, at the end of the court, that there were two women in company together, and Evans was the woman who knocked her down, but before the Magistrate she bound it down hard and fast to the prisoner—she was sober, but very much agitated.

Prisoner. Q. Did she not acknowledge that she wanted the other female to pledge her pattens? *A.* No.

ELIZABETH MARY WHITE *re-examined.* Q. How came you to tell the officer you could not say which of the two robbed you? *A.* I was nearly stunned at the time, she threw me down with such violence—I have perfectly recollected myself since, and she is the woman—she had no shawl on—I had nobody with me—(*The witness's deposition being read agreed with her evidence.*)

JOSEPH HOILE (*police-constable F 95.*) I took the prisoner into custody—I put a few questions to her—she denied that she ever lived in Lascelles-court, or that she had been down there that day, and said she lived in Jones-court, St. Giles's—I took her there—she took me up stairs to a room, and said the door was fastened—I found she was not living there, and took her to the station-house—the prosecutrix recognised her there, and said she was the person who had knocked her down and robbed her—she then said she did accompany her up stairs, and received a few halfpence from her, but denied knocking her down and robbing her—respecting the other female who was taken, the prosecutrix said she was the young woman who came up to the door after she came out of the room, and she went away with the policeman, but the prisoner was the woman who robbed her.

Prisoner. My room was not altogether right, my bed was not made, and I did not wish to take him to my own room on that account—I had only lived two days in Lascelles-court, and did not wish to take him there—he would not tell me why he wanted to go to my place.

SAMUEL GRIFFITH. I am a chimney-sweeper, and live at No. 8, Lascelles-court. On the evening of the 1st of July I was in the parlour of that house, and heard a noise in No. 7—I went up to see what was the matter, and saw the prosecutrix and prisoner in the passage—the prosecutrix seemed frightened—she had been knocked down stairs—I saw the prisoner knock her down again at the door, or shove her—I am sure she is the person—she left the court, and pulled the woman Evans away with her up the court.

THOMAS KING *re-examined.* She was searched, and 6d. found on her; but she had spent the 2s. for the shawl she has on—the young woman who we took with her said, in her presence, that she had taken it out of pledge—the prisoner made no remark to that.

Prisoner. I had received half-a-crown from a man that evening.

GUILTY. Aged 24.—Transported for Fifteen Years.

1823. JAMES SHAMBROOK was indicted for stealing, on the 2nd of July, 1 pair of shoes, value 4s., the goods of Thomas Lane; to which he pleaded

GUILTY. Aged 16.—*Recommended to mercy.*—Confined One Month.

1824. HENRY ARNOLD was indicted for embezzlement.

MARY LOW. I am the wife of Theophilus Low, and live in Shepperton-place, Islington—I did live in Popham-terrace—I deal with Mr. Adams for milk, the prisoner served me. On the 22nd of June I paid him 15*d.* on account of his master—I generally paid by the week or fortnight.

Cross-examined by MR. PHILLIPS. Q. Were you in the habit of getting any acknowledgment from him? A. Not any—I have paid him perhaps 2*s.* or 3*s.*, but never exceeding that at one time.

WALTER ADAMS. I am a milkman. The prisoner was in my employ, to carry out milk, and receive money on my account—he has never accounted to me for the 15*d.* received from Mrs. Low on the 22nd of June—he absconded from my service last Thursday week—I gave information to the police, and found him at the station-house next day—the policeman asked me, in his presence, what sums he had taken—I said I could not tell, but there was one of about a sovereign which he had not accounted for—he replied, “No sir, I suppose you allude to Popham-terrace; I did not receive a sovereign, for I have received that money regularly weekly”—he has not accounted to me for any money received from Mrs. Low since October.

Cross-examined. Q. How long has he been in your service? A. A little more than four years—I found him in the walk, when I bought it of Mr. Butt, in whose service he had been five or six years—I first gave him half-a-crown a week and his board and lodging, and subsequently raised it to 3*s.*—he found himself in clothes—he had been in liquor two or three times, and within the last three weeks has been very bad indeed.

GUILTY. Aged .—*Recommended to mercy.*—Confined Three Months.

NEW COURT.—*Tuesday, July 7th, 1840.*

Sixth Jury, before Mr. Common Sergeant.

1825. MARIA DUNN was indicted for stealing, on the 22nd of June, 64*lbs.* weight of iron, value 6*s.*, the goods of Samuel Alexander; to which she pleaded

GUILTY. Aged 32.—Confined Three Months.

1826. EMMA HUSCROFT was indicted for embezzlement; to which she pleaded

GUILTY. Aged 17.—Confined Two Days.

1827. WILLIAM CROUCH was indicted for embezzlement; to which he pleaded

GUILTY. Aged 15.—Confined Six Months.

1828. JOSEPH FREEMAN was indicted for stealing, on the 16th of June, 1 handkerchief, value 2*s.*, the goods of Robert Campbell Mallett, from his person.

ROBERT CAMPBELL MALLETT. I live in Shoe-lane, Holborn. About ten o'clock at night, on the 16th of June, I was going up Holborn-hill; just as I was going to turn the corner of Shoe-lane, I felt my handkerchief drawn out of my right hand pocket—I said, “My handkerchief is gone, Stop thief”—the prisoner was about a yard and a half in front of me—he passed me on the right—I should have been able to seize him if I had not lost my right arm—I am sure it was him—I have not the least doubt—he was differently dressed to what he is now—he had a brown coat on—there were three of them together, Williams and another boy—I knew Williams

before—I saw him in Court last Session—I have no doubt about Freeman—I called “Stop thief”—he was the first to run—he ran across up Union-place—I followed him up Union-place or court for some distance, and was close upon him—I was afraid to go further, and lost sight of him—I turned back again—my handkerchief was a white one—it has not been found—I think he was taken about a quarter to eleven o'clock—they brought him to the station-house, and I recognized him immediately.

Cross-examined by MR. ROE. Q. Tell me, as near as you possibly can, what time it was? A. It was between ten and half-past—I should say it was more than a quarter-past, but I cannot swear to the time—the prisoner ran across Holborn, just opposite a boot and shoe shop—he went up this court, and went off to the left—there was such a mob that I did not go further—he might have run up part of the hill—he merely crossed the road—I did take notice of the other prisoner—I cannot say whether Williams ran immediately after the other—I cannot say which way he went—I saw him no more till he was at the station-house.

THOMAS GREENHAM (*City police-constable, No. 282.*) I was on duty on the 16th of June—I cannot say exactly what o'clock it was—I believe it was about half-past ten—I heard the prosecutor call “Stop thief”—I was opposite Shoe-lane, in Holborn—I saw the prisoners Freeman and Williams—I am quite sure the prisoner is the man—I knew him before, by seeing him about—I saw him running away from the prosecutor—I saw the handkerchief in Williams's hand, and since his conviction last Sessions, a person has been apprehended for receiving it of Williams, who acknowledged to it—I am quite confident I saw Freeman running—he ran in the direction of Holborn, straight up, towards Gray's-inn-lane, but how far he went I cannot say—I went after Williams—where Freeman went I cannot say, but he afterwards came and rescued Williams, with the assistance of others.

Cross-examined. Q. How far were you from the prosecutor when you heard the cry of “Stop thief?” A. From six to eight yards, hardly that, they were both together, but when they saw me they ran in two directions—Williams took through Union-court, Holborn, to Field-lane—it was about 400 yards from where they separated to where I apprehended Williams—Freeman ran up through Holborn directly from me—he came back in about ten minutes—I took Williams in Brewer's-yard.

MR. ROE called the following witnesses.

JOSEPH ROBINSON. I am a watch-maker, living in Wellington-street. On the 16th of June I was at the White-lion public-house, in Old-street, about half-past eight o'clock, in company with the prisoner—I was in his company till near eleven o'clock—he left, to the best of my knowledge, about a quarter after ten—I have known him from a child—he has worked for me.

DANIEL EDWARDS. I am a watch-finisher, living in Europa-place. On the evening of the 16th of June, I was at the White-lion public-house, from seven o'clock till twenty minutes after ten—I saw the prisoner there—he left as near the quarter-past ten as possible—I wanted to go at half-past, and looked at the clock.

ROBERT BURNETT. I am a watch-escapement maker. I was at the White-lion public-house, from eight till eleven o'clock—I saw the prisoner there, from eight o'clock till ten minutes or a quarter-past ten—I saw him leave the room—it is about a mile from the White-lion public-house, Old street, to West-street, Smithfield.

GEORGE HIGGINS. I am a painter, and live in West-street. I have a little connexion of my own—I was in West-street on the 16th of June, at twenty minutes or twenty-five minutes past ten o'clock—I saw the prisoner in West-street that evening—I saw him coming down, wrapping up his apron, coming from Smithfield—I was standing at a public-house door—he said, “Do you know what is the matter?”—I said, “I don’t know”—we went down the street together—West-street is about a minute’s walk from Shoe-lane—the prisoner, when we got down, placed his back against the railing, and by that time the policeman came up an arch-way, calling out “Murder”—he had no hat—he passed the prisoner twice, and directly he saw two or three more policemen, he made a *grab* at any body he could lay hold of—he said to the policemen, “Take him off, he is one of them”—he put out his hands, but they all got out of his way—the prisoner did not attempt to go away—he had plenty of opportunity if he chose.

COURT. Q. Was there a rescue going on? A. Yes—I lived with Mr. Shearman, at the Crown public-house—I paint for different people—the last was for a gentleman in Myddleton-street, Spa-fields—I painted his house from top to bottom, about a fortnight ago—it is a doctor’s shop—I think Crawley is the name—there was no name up—I cannot tell the number—the amount of the bill came to 23s.—I sent in my bill—it has been paid—I go round and ask for jobs—I buy my paint of Mr. Fowler, of Leather-lane—I worked for Mr. Siggers, in the Strand, a large gaiter-maker, about five or six weeks back—I cleaned and varnished his front—I go round to inquire for work—I go to shops, if I see any thing wants doing, I go in and inquire—I painted a cart for Mr. Gothorn, in the Nacker’s-yard, Cow-cross.

MR. ROE. Q. Should you know this Doctor’s house? A. Yes.

(John Lea, a watch-finisher, of Wellington-street, Goswell-street; Thomas Bird, watch-finisher, of Wellington-street; and William Jackson, publican, Brick-lane, St. Luke’s; gave the prisoner a good character.)

COURT to THOMAS GREENHAM. Q. Are you positively sure the prisoner is the man you saw running from the prosecutor? A. I am quite confident he is the man—I knew him before by seeing him about Field-lane and West-street all hours of the night—I never lost sight of him from the time he rescued Williams, till I gave him into custody.

GUILTY. Aged 21.—(*See Eighth Session, page 379*)

1829. BENJAMIN MOORE was indicted for embezzlement.

MR. HARRY conducted the Prosecution.

RICHARD BOND. I am a broker, and live in Seymour-street, Euston-square. About the beginning of April, I put a distress into the house of Mr. Beale, at Finchley—I put the prisoner in possession—I had been in the habit of employing him for that purpose upwards of two years—I sent for him to his house on the Sunday morning—I was not aware that he was out of possession, but one of my men being taken ill, sent to me, and I sent to the prisoner—he said, “Oh, I got a little too drunk last night, and left the money in the publican’s hands”—he ought to have received 7l., and the expenses about 10s. 6d.—he said he was paid out last night (speaking of Saturday night) in the City—I told him he was wrong in leaving the premises, but I hoped he would let me have the money after one o’clock, and to go and relieve the other man—he did not return—I

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went to his lodgings, but did not find him, and did not see him again till the 17th of June, when I met him in Drummond-street, Euston-square—I said, “Halloo, I have been looking for you a long time, where have you been?”—he said, “I have been into the country, but I am coming to you?”—I said, “It is very strange you should be going another way”—I gave him in charge.

Prisoner. I said I would accompany you to a policeman. *Witness.* You walked with me till I saw a policeman.

WILLIAM BEALE. I have a house at Finchley. Mr. Bond put a distress into my house for rent, about the 2nd of April—the prisoner was in possession—I paid him the amount, about 7*l.* odd—I have got the receipt—this is it—he signed it in my presence, I believe.

MR. BOND *re-examined.* This is the receipt I drew and left in the prisoner's hands, that if the money should be paid, he should have to put in the day of the month—this number 4, is his writing.

WILLIAM DOWNES (*police-constable S 190.*) I took the prisoner—he said he had lost the money.

(*The prisoner, in a very long address, stated that he had received the money at a public-house, where he continued till he got intoxicated, and had either left the money at some house, or lost it.*) **NOT GUILTY.**

1830. **ABRAHAM LEVY** was indicted for stealing, on the 10th of June, 37 ink-stands, value 1*l.* 2*s.* 6*d.*; 9 wafer-seals, value 3*s.* 6*d.*; and 7 boxes of lights, value 4*s.* 3*d.*; the goods of Morris Crawcour his master.

MORRIS CRAWCOUR. I live in Ash-street, Hoxton. I employed the prisoner to collect orders for me—I gave him thirty-seven ink-stands to use for patterns to take orders—he took them on the morning of the 10th of June, and was to return them at night, with any orders he might take, but I did not see him till Saturday morning, when I went to his lodgings and took a policeman with me—he had a letter written out, which his wife gave me—it stated he had made away with a few shillings, and he would make it up—he told me that he had sold the inkstands and wafer-seals, and other things, and appropriated the money to himself—I did not authorise him to do so.

Prisoner. Did you not tell me, “Don't turn away money?” and on four or five occasions I have come home, and told you I could get no orders, but I could have sold the goods—and you said you would make up some goods for me to sell? *Witness.* I did not authorise him to sell them, but he had sold several things on the preceding days—he had been only nine days with me—he had sold things, and I had taken the money, but I told him not to do it again—he could not consider that he was authorised to sell these—I allowed him goods at a certain price, and when he took them, I would charge him 20 per cent. under—if he had chosen to have taken more ink-stands, he might.

Prisoner. Q. Did you not say, “Don't turn away money?” A. Decidedly not—I told you not to refuse orders—you were not authorised to sell these—I will swear I did not tell you not to stand nice, but to take money.

SAMUEL BROWN (*police-constable G 88.*) I went to the prisoner's, and asked him what he had done with the property—he said, some he had sold and some he had appropriated to his own use.

Prisoner's Defence. I have been between six and seven years hawking

for this man ; he met me and said, " Would you have any objection to go out and hawk for me ? " I said things were very dull, but I would try ; he let me have a stock, which he terms patterns ; I told him I could not get orders without I had an assortment ; he looked them out, and I accounted from day to day ; I have a list of things which he entered, and he entered 9s. 6d. in the day book.

GUILTY. Aged 26.—Confined Three Months.

1831. RANDALL WARHAM was indicted for stealing, on the 27th of June, 1 half-sovereign, and 2 shillings, the monies of Thomas George Thomas, in a certain vessel, in a port of entry and discharge.

THOMAS GEORGE THOMAS. I am a seaman belonging to the *Stately*—she was in the West India Docks on the 27th of June—I went on board at half-past six o'clock—I had a sovereign and a half-sovereign and 10 or 12 shillings in my right-hand trowsers pocket—I stripped and put on my working clothes—I put my things in my berth, and in the evening I went to dress to go on shore—I missed the half-sovereign and some silver, but whether there were two or three shillings I am not sure—I am sure there were shillings—I called the Mate—he called the prisoner, taxed him with it, and told him to pull his chest out, which he did, and some of these things he had in the chest, and the rest in his pocket—they are three knives, a jew's-harp, and a lucifer box—they all appeared new—I have lost my ship by this—he first denied taking it, and then admitted taking 2s.—the mate asked him about the half-sovereign, and he admitted taking it, and changing it in Whitechapel, and that these things he bought with part of the money.

FREDERICK BARLING. I am a stationer in Limehouse. On Saturday, the 27th of June, the prisoner and another boy in landsman's clothes came and bought three knives and then a jew's-harp—he changed a half-sovereign—he said he was going away on the Tuesday.

Prisoner's Defence. About half-past seven o'clock I went to get some lucifers, and found some money.

(The prisoner received a good character.)

GUILTY. Aged 13.—*Recommended to mercy.*—Confined Three Days, and Whipped.

1832. ROBERT WENDOVER was indicted for feloniously receiving of a certain evil-disposed person 1 bag, value 3d. ; and 1 peck of canary seed, value 1s. 6d. ; the goods of Joseph Woodward, on the 17th of June, well knowing them to have been stolen ; against the Statute, &c.

JOSEPH WOODWARD. I keep a corn-chandler's shop in Chichester-place, Gray's Inn-road. I lost a bag of canary seed—the last time I saw it was about ten days before last Tuesday—I cannot swear whether the bag which is here is mine.

MARY BENDELL. I am in the prosecutor's service—I know this bag—(looking at it)—we missed it when the policeman came—I believe this to be my master's by marks which I know it by—it contained about five quarts of canary seed—it was lost on the 17th or 18th of June—I think I have seen the prisoner's wife in our shop, but not lately.

THOMAS HOWARD (*police-constable E 139.*) On the 20th of June I went after the prisoner to Caroline-place, Cromer-street, where he lives—I asked to gain admission—the prisoner locked us out—we broke the door open, and he ran up stairs immediately—I ran after him, and asked him

several times to come down—he would not—I dragged him down—I broke open an upper-room door and in searching a cupboard I found this bag covered with rubbish.

NOT GUILTY.

1833. ROBERT WENDOVER was *again* indicted for feloniously receiving, on the 8th of June, 4 pairs of stockings, value 4s.; the goods of Henry Parnell, well knowing them to have been stolen; against the Statute, &c.

THOMAS BARTHOLOMEW. I am shopman to Henry Parnell, a hosier in Bishopsgate-street. On the 8th of June we lost four pairs of stockings—they were outside the shop for sale—these are the stockings—(*looking at them*)—I do not know the prisoner.

THOMAS HOWARD. I found these stockings at the prisoner's in a chest.

NOT GUILTY.

1834. JAMES PELOW was indicted for stealing, on the 5th of April, 1 watch, value 2*l.* 10s.; 1 shirt, value 5s.; 2 pairs of stockings, value 1s.; and 2 handkerchiefs, value 5s.; the goods of Isaac Smith, his master; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

1835. HENRY TOURLAMON was indicted for stealing, on the 24th of June, 1 purse, value 6*d.*; four sovereigns, 2 half-sovereigns; 2 half-crowns, and 4 shillings, the property of Emma Whitford Deeks.

MR. BALLANTINE conducted the *Prosecution*.

EMMA WHITFORD DEEKS. I am single, and live with my aunt, in Adam-street, Manchester-square; the prisoner lodged in the attic, and had done so for three weeks. At five minutes before twelve o'clock on Wednesday the 24th of June, I went down into the kitchen, and left on the table in the parlour my bonnet, shawl, gloves, and my purse, which contained four sovereigns, two half-sovereigns, two half-crowns, and four shillings—I went up stairs in about ten minutes, and missed my purse and its contents—I do not know whether the prisoner was in the house at that time—I went up to the first-floor, to Miss Sowerby, and made inquiry of her and the other lodgers—about half-past five o'clock the prisoner came home—I was in the parlour—I asked him to come and speak to me—he said, "Very well," but he still kept going up stairs—I followed him—he got into his room two or three minutes before me—the door was ajar, and I went in—he had his hat on, and a stick in his hand—his other hand was in his portmanteau, and I heard the jinking of money—I asked him what time he went out in the morning—he hesitated some time, and then said, "When the bell rang"—I understood by that the chapel bell, which commences at eleven o'clock—he asked whether any thing had happened—I said, "Nothing particular"—I made no charge then—Miss Sowerby followed me to his room—I then left his room, and told Miss Sowerby not to let him go till I got a policeman—he might have heard me say that—I went out, and when I returned I found him at the street door, Miss Sowerby had hold of him by the collar, and he was struggling—he got away, and ran as fast as he could down Adam-street, into Manchester-square, and as far as Duke-street—I followed as fast as I could, and saw two young men stop him—I said there was a purse missing, and he having gone out, there was great suspicion attached to him, and I wished him to return—one of the young men asked why he ran away—he said, because he was frightened—he was brought back and given into custody—(he paid 4*s.* 6*d.* a

week)—I was present when the officer found three sovereigns in his portmantau, in a leather purse, which purse was not mine—he was taken before the Magistrate on Thursday morning, and came back with a friend of his about half-past five, or six o'clock, to get his things—I called a constable to go up with him—I had had the key all the time, and no one had been in—the constable searched the room, and found nothing—I had the key from the Thursday till the Saturday evening, when he came again—I handed the key to the constable again—he let the prisoner in, and was there till he went—I went up, and locked the door, and took the key out—no one had entered but the prisoner and the officers—on the Monday I went in, about half-past twelve o'clock, with a woman, to clean the room—I told her to sweep the loose soot from the lower part of the chimney—she took her hand to remove the soot from the hob, and on moving it she pulled out this purse (*looking at one*) which is the purse I lost with the money.

Prisoner. Q. On the Wednesday, when I came home, you called me? A. Yes, I did, and you said, "Very well"—I did not hear you say you were coming in a few minutes.

Cross-examined by MR. CLARKSON. Q. Where were you when the girl went into the room on the Monday? A. In the room—it was customary to sweep the chimney—I was on the landing when the woman came out with the purse—I did not see it found, but I could see part of the chimney from where I was—the prisoner used to leave his door unlocked.

COURT. Q. Did the girl who found the purse live in the house? A. No—she was not there on the 24th of June—I kept the key of his room from Thursday till the Monday, except when I gave it to the policeman—the door was locked all that time.

MR. CLARKSON. Q. Did you lock it yourself? A. I did the last time—I saw the officer lock it the first time, and he gave me the key, which I kept in my own apartment, and I locked my own door when I went out.

MARIA SOWERBY. I lodge in the house—I am a dress-maker—I remember the prosecutrix's purse being lost on the 24th of June—the last time I saw the prisoner that day, was at half-past eleven o'clock—he was coming up stairs—he had no hat on—I did not see him go out—I was in my own room—I remember his coming home that day a little after five o'clock—Miss Deeks followed him up stairs, and I followed her—she left to fetch an officer, and she requested me to remain and watch the prisoner—he was going down stairs and I said to him, "Will you be kind enough to stay, something unpleasant has occurred, and Miss Deeks wants to speak to you?"—he pushed me on one side, and ran down stairs—I collared him at the door—he called me a d—d b—h, and tried to get away—I held him till he got to Manchester-square—he bit my finger, and made me let him go—Miss Deeks and I followed him till he was stopped by two young men, and brought back.

EDWARD McDONNELL (*police-constable D 49.*) On the 24th of June, I was in Adam-street, and was called to take the prisoner—I asked him whether he had stolen the purse and money—he said he knew nothing about it—I searched him at the station-house, and found on him, 1 sovereign, 3 half-crowns, 9 shillings, 3 sixpences, and three-pence half-penny, which he told me belonged to himself—I went back to the house

with Jones and searched the drawers and then the portmanteau, I there found a small morocco purse containing 3 sovereigns, six letters, and a passport.

Cross-examined. Q. Did you search the room as well as the trunk?
A. Yes—I did not particularly examine the grate, but Sergeant Jones did.

MR. BALLANTINE. Q. Were you intoxicated at the time? A. No.

ANN KARNEY. I am the wife of Peter Karney; I lodge in the next attic to the prisoner. On the 24th of June he went out, to the best of my knowledge, about half-past eleven o'clock—I dine about twelve—I heard a foot go out of his room about half-past eleven, while I was at dinner—I go to dinner sometimes about twelve.

COURT. Q. What makes you say this was about half-past eleven o'clock? A. It was a cold dinner I had—I cannot say exactly to the moment.

WILLIAM JONES (*police-sergeant D 10.*) On the 24th of June, the prisoner was brought to the station-house—I was sent to search his room—the leather purse and money was found in the portmanteau—I searched the fire-place, it was very clear of soot—I did not search the chimney nor feel up it.

MARY ANN MUGGERIDGE. I am the wife of Henry Muggeridge. I went on the Monday to clean the room—I swept the lower part of the chimney round, and finding the broom would not go up, I put my hand and pulled the soot out, and the purse, which could not be seen—unless I had used my hand I should not have found it.

ROBERT GEAR. I live in Great Barlow-street. I stopped the prisoner and took him back, he was running as fast as he could—I asked him why he ran away—he said he was frightened—I asked him why he was frightened—he said he did not know what was the matter.

NOT GUILTY.

1836. JOHN TAYLOR was indicted for stealing, on the 27th of June, 1 gown, value 2s. 6d., the goods of Ann Lea.

ANN LEA. I am an unfortunate woman. The prisoner met me in New Tothill-street on the 27th of June—he gave me 1s. 6d., and stopped with me half-an-hour—and as he was going from me he demanded his money back, and as I would not give it him, he stole this gown off the table—he ordered me out of my own place—I would not go out—he said he would make me go out, and he would shut the door—I would not go—he took the gown and ran away with it—the policeman caught him.

Prisoner. Q. How far did you run after me? A. As far as the end of the court—but I could not see you.

GEORGE BANHAM (*police-constable B 84.*) I was on duty about two o'clock in the morning in Duke-street, and saw the prisoner come running along, tucking something under his coat—I asked him what he had got—he took this gown out and threw it behind him—he said he did not know where he got it—I took him to the station-house—he said he knew nothing about it—the next morning I asked if he knew any thing about it—he said he went home with a girl—I made inquiries, and found the prosecutrix.

Prisoner's Defence. I know nothing of it; and I consider the only way I could get it, was to give the girl 1s. 6d. for it.

(The prisoner received a good character.)

GUILTY. Aged 31.—Confined Nine Months.

1837. HENRY WYATT was indicted for stealing, on the 29th of June, 2 pewter-pots, value 2s. 6d., the goods of Charles Drew.

CHARLES DREW. I keep the Crown public-house, in Church-street, Bethnal-green. A few minutes before ten o'clock at night on the 29th of June, I met the prisoner in my house, coming from the skittle-ground—my brother followed him to the street, and took from him this quart-pot—his hat fell off, and this pint-pot was in it—they are both mine—he had no right to them.

GEORGE DAVIS. I am the prosecutor's brother-in-law. I was going down the passage, and saw the prisoner with something—I went after him, and found this quart-pot under his coat—it is my brother's.

ROBERT M'GOWN (*police-constable H 66.*) I was sent for and took the prisoner—he said he was out of employment, and did any thing to get a living.

GUILTY. Aged 24.—*Recommended to mercy.*—Confined Three Months.

1838. WILLIAM GOLDING was indicted for stealing, on the 18th of June, 1 saddle, value 4s.; 1 crupper, value 1s.; and 1 breeching, value 1s.; the goods of John Mason: and that he had been before convicted of felony.

BENJAMIN COLLINS. I am carman to John Mason, of the City-road. At a quarter to eight o'clock, on the 18th of June, I went to his stables, and missed a chaise-saddle, a crupper, and breeching—I had seen them safe about nine o'clock the previous night, when I left the stable—this is the saddle that was lost—(*looking at it*)—the stable was not broken—we were building new premises, and they got through the window.

SAMUEL WRIGHT (*police-constable G 186.*) I found the prisoner in Featherstone-street, City-road, at half-past two o'clock in the morning, on the 18th of June, with these things, coming from prosecutor's back premises—I took from him this saddle and breeching.

WILLIAM CLAY (*police-constable K 278.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 21.—Transported for Seven Years.

1839. MARY MURPHY was indicted for stealing, on the 29th of June, 21 yards of printed cotton, value 11s., the goods of Joseph Price Bridgewell.

JOSEPH PRICE BRIDGEWELL. I am a linen-draper, and live in High Holborn. About nine o'clock in the evening of the 29th of June, the prisoner came and asked to look at some printed cotton for a dress—she had a shawl on, and held up her arm—I examined the goods which I had showed her, and found two were missing when she had gone out—she had got to the corner of my window—I followed, and said to her, "You have stolen a piece of print"—she said, "Don't make a noise, I will return with you into the shop"—I took her by the arm and took her into the shop, and keeping her from the counter where the prints were—I opened her shawl, and these two pieces dropped from her—she gave herself a twist, I saw them, they are mine.

FRANCIS FELLA (*police-constable L 34.*) I took the prisoner.

Prisoner's Defence. I went and asked for a print, he showed me some, I did not like them, they were too dear; he recommended one so much that I did not know how to refuse it. I came out to look into his window, and he came after me, and pushed me back into his shop. He jumped

over the counter, and knocked some down in getting over; he said he missed one piece first, and then he picked up the two pieces, which laid in a different direction to where I sat.

COURT to J. P. BRIDGEWELL. Q. Were they picked up near where she stated? A. They were.

GUILTY. Aged 24.—Confined Four Months.

1840. RICHARD SIMS was indicted for obtaining 10s. by false pretences; to which he pleaded

GUILTY. **Transported for Seven Years—Convict Ship.

1841. RICHARD CHICKLEY was indicted for embezzlement; to which he pleaded

GUILTY. Aged 18.—Confined Four Months.

1842. HENRY WALKER was indicted for stealing, on the 3rd of November, 3 sovereigns, 2 half-sovereigns, 200 shillings, 48 half-crowns, and 50 pence, and 1 £5 note, the monies of Abraham Redon, his master.

ABRAHAM REDON. The prisoner was in my service for about six months—at the latter end of December, I was collector at Cambridge Heath toll gate—I had him three or four days to help me—I said to him one Sunday, "I shall lie down"—he said he wanted to go out, and he went out at six o'clock, and did not return till eleven—I then laid down, and was awoke at five o'clock in the morning, and found the cupboard was broken open, and 25*l.* gone—the prisoner was gone, and another with him, named Hollingshead, who has been tried—I have not seen the prisoner since till now—there was no one else—I have to pay 10s. a week till it is paid.

Prisoner. There was me, Hollingshead, Chappel, and another one in the toll house, when the prosecutor took the money out of the cupboard, and said, "Look here, my boys, if you had this it would be a fortune to you." *Witness.* I have no recollection of that.

HENRY CHAPPEL. On the Sunday afternoon the prisoner was at the gate, and the prosecutor took the money out of the cupboard, and said, "Should you like to have this, *Harry*?"—I went away, and left the prisoner and Hollingshead there.

Prisoner. Q. Was there not more in the toll-house? A. Yes—four of us were there, and you said you loved money, you would do any thing for money.

Prisoner's Defence. Hollingshead came to me at six o'clock at night, and asked if I could *stand* any beer; I said, "No," but we went and had half-a-quartern of rum; he made me quite tipsy, and said, "You know he showed us some money;" he said if I took it, and gave it him he would take it home, and take care of it till there was no more said about it; then he came while I was asleep, and cut the cupboard, took it, and put it all on my shoulders; he said if I told he would make it worse for me.

GUILTY. Aged .—Confined Nine Months.

1843. THOMAS JOHNSON was indicted for stealing, on the 22nd of June, 1 handkerchief, value 2*s.*, the goods of Henry Howard, from his person.

HENRY HOWARD. I live in Fore-street, Cripplegate. I was in the street, about four o'clock in the afternoon of the 22nd of June—I missed a handkerchief—I looked about me, and saw the prisoner crossing the road hastily—I followed him—he went away faster—I chased him round a

court, and going round it, he dropped this handkerchief, which is mine—*(looking at it.)*

GUILTY. Aged 15.—*Recommended to mercy by the Prosecutor.*—
Confined Six Months.

OLD COURT.—*Wednesday, July 8th, 1840.*

Third Jury, before Mr. Sergeant Arabin.

1844. **ROBERT FARRELL** was indicted for stealing, on the 13th of June, at St. Leonard's, Shoreditch, 1 waistcoat, value 2s., the goods of John Garard; and that he had been before convicted of felony: to which he pleaded

GUILTY. Aged 62.—Transported for Seven Years.

1845. **JAMES TAPPIN** was indicted for stealing, on the 4th of July, 2 pairs of boots, value 10s., the goods of William Spencer.

WILLIAM SPENCER. I am a general salesman, and live in Whitechapel-road. On the 4th of July, about a quarter past two o'clock in the afternoon, I heard a noise at the door—I turned my head, and I saw the prisoner running away with the boots in his hand, close to the door—I pursued him—he threw them down—I followed, and took him without losing sight of him—these are my boots—*(looking at them)*—they had been on a stall-board in front of the house.

JAMES RYE. I am a policeman. I took the prisoner into custody, and found on him two boxes of cart grease—he said he was in the cart grease line, and they were samples to go round to get orders.

GUILTY. Aged 18.—Confined Six Weeks.

1846. **ANN SOMERFIELD** was indicted for stealing, on the 29th of June, 1 watch, value 3l.; 1 watch-key, value 6d.; and 14 sovereigns; the goods of John Westerland, from his person.

JOHN WESTERLAND. I am a seaman, belonging to the *Prince George*, which came from Malta. On the 29th of June I met the prisoner in the street—I had been drinking a good deal, and was in liquor—I went home with her—I do not know the name of the street—we did not go to bed together—I went to bed with my clothes on—she was in the room with me—I had received 14 sovereigns from my captain—the sovereigns and a watch were in my pocket when I went to sleep—I awoke about four o'clock in the morning—the prisoner was not there then—my watch and all my money was gone.

ANN ROBINSON. I am an unfortunate woman. The prisoner lodged with me, about five weeks before this happened, on the same floor as me—she came to my house with the prosecutor, on the night in question, about three o'clock—he appeared very much in liquor—they went into the prisoner's room—he sat down in a chair, and she helped him into bed—he went to bed with his clothes on—I heard her go out about a quarter of an hour after—I went into the room about five o'clock, found she was gone, and the prosecutor said he had lost fourteen sovereigns, and his watch.

HENRY GRIMSHAW. I drive a cab. On Monday morning, the 29th of June, about six o'clock, I was on the stand by the Bricklayers' Arms public house—the prisoner came up to me, and asked me what I would take her to Hampstead for—I said, 5s.—in going past the Elephant and Castle public-

house, she put her hand out of the window, and asked me to stop at a public-house, which I did—when I got down she said, “Fetch out half-a-pint of gin”—I said, “A quartern is quite sufficient”—I said, “Give me the money first?” she pulled a paper out of her bosom, and a watch—the paper contained, as near as I could see, ten sovereigns—she gave me a fourpenny piece, and I fetched out a quartern of gin—we went to Hampstead, she called at several public-houses on the road—we went to the Cock public-house at Hampstead, and to Jack Straw’s-castle, across the heath, to Hendon—pulled up at the public-house there—the landlord would not serve her—she pulled out the money and watch there, just the same—I saw it several times—this is the watch—(*looking at it*.)

HANNAH FIELDER. I keep the Redcross public-house, High-street, Borough. On the Monday I saw the prisoner come in a *cab* to my house with a *cab*-man, and another man—she did not call for any liquor—the *cab*-man called for a quartern of gin—she wanted half-a-pint—it was not this *cab*-man, but another—she paid me 1s.—there was some discussion about money—she said she was not in want of money, and pulled a paper out of her bosom, with seven sovereigns in it, and the watch—this is the same watch, I am positive of it—besides the seven sovereigns, she had a handfull of silver—she paid the *cab*-man in silver—she told me she had fourteen sovereigns in the morning—she was throwing the money in the bar—I sent for a policeman, who took her into custody with the watch and money.

JOHN COOPER (*police-constable M 106*.) Mrs. Fielder sent for me to her house, and I took the prisoner into custody—the watch was given to me by Mrs. Fielder—seven sovereigns were found on her besides, and 1s. 10d. in other money—there was a man with her—at the station-house the inspector asked her whose watch it was—she turned to the man with her, and said it was her husband’s—he made no reply—I asked how she got the money—she said she had robbed her brother at Wapping, at the Dundee Arms—I went there, and he knew nothing about her.

JOHN WESTERLAND *re-examined*. This is my watch.

Prisoner. No, it is not his watch, it is my husband’s; he left it behind the morning he went to sea. I met with this young man; he gave me half-a-crown; I took him home, he sat on a chair, and said he had no money; I helped him on the bed, and left him there; I went out, and on passing the White Swan public-house, I picked up the purse with ten sovereigns and 15s. in it.

GUILTY. Aged 23.—Transported for Fifteen Years.

Before Mr. Justice Patteson.

1847. JAMES ALLEN was indicted for a rape.

GUILTY. Aged 23.—Judgment Respited.

1848. WILLIAM SIMS was indicted for maliciously and feloniously assaulting Elizabeth Butler, on the 25th of June, and cutting and wounding her on her forehead, with intent to maim and disable her—2nd COUNT, stating his intent to be to do her some grievous bodily harm.

ELIZABETH BUTLER. I live in King David-lane—the prisoner and I lived together as man and wife for very nearly eight months—I had several times desired him to go—Idid so on Thursday the 25th of June—he said he could not get a lodging—I told him he must get one—he went out,

came back, and said he had got one, provided I would be answerable for it?—I went at ten o'clock at night along with my sister-in-law, Mrs. Smith, to pass my word—I saw the prisoner, and passed my word for his lodging—as we were coming back again, between ten and eleven o'clock, he was standing against the public-house wall, in the dark—Mrs. Smith said to him, "There you are, *Bill*"—he said, "There you are, Mrs. Smith"—he beckoned to me, and said, "I want you"—I said, "What do you want to speak to me for? I have been and passed my word for your lodging, if you choose to go to it"—he said, "But I want to speak to you"—I went a few paces towards him—he was standing with his back against the public-house door—he up with his hand—he had some kind of instrument in it, but what it was, I do not know—it was bright—he struck me over the forehead with it—he did not say a word—the blood flew, and he instantly ran away—I called, "Police," and he was taken into custody—I was hurt very much indeed—he struck me above the eye—I am positive he had something in his hand—I saw it bright—there was a lamp over the public-house door—it was in his left hand—I was confined in-doors three days—I could not hold my head up—Mr. Betson, a surgeon, attended me—I had not had any dispute with the prisoner, more than about his going away—I was tired of him.

Prisoner. I had no instrument whatever—I hit her with my naked hand—she told me her son was coming home in a ship, and persuaded me to get a lodging—I could not get one—I afterwards found out that another man came home from sea, and she would not let me go into the house—I had to walk the street from morning till night, and had no where to go, except public-houses—she turned me out of doors for the sake of this man, and that was the reason I struck her. *Witness.* There was no other man in the house then—he has abused me frequently—I did not refuse him admittance to my house—he told me in the street that he had got a lodging, if I would be answerable for him—I left him at the top of King David-lane, and saw no more of him till I saw him standing against the public-house.

ELIZABETH SMITH. I am sister-in-law to Mrs. Butler. I was coming home with her on the night of the 25th of June, and saw the prisoner standing with his back against the wall, at the top of the lane—I said, "There you are"—he said, "There you are, Mrs. Smith"—Mrs. Butler said to him, "You can go to your lodging now, I have been and made it all right"—he said, "I want to speak to you"—she said, "What do you want with me?"—he said, "Come here a minute, and I will tell you"—she went a few paces—she pulled me by the shoulder to go with her—when she got up to him, he struck her over the shoulder—I could not see any thing in his hand—the blood ran down her face.

GEORGE BETSON. I am a surgeon. I was called in to Mrs. Butler on the 25th, and found a wound on her forehead, just above the eyebrow, an inch in extent, and nearly half an inch deep—I should consider it to have been done by some sharp instrument—(*looking at a knife*)—such a knife as this would inflict such a wound—it was not a serious wound at all—if the blow had gone into the eye, the vision would have been lost.

Prisoner. Q. Do you suppose I could have cut nearly half an inch there, where there is not a quarter of an inch of flesh? A. I should suppose you might—there was no contusion or bruise.

JOHN NICHOLAS (*police-constable K 1.*) I heard the prosecutrix cry

"Police," and saw the prisoner running very fast—I caught him, and asked how he came to strike the woman in that sort of way—he said I should hear all about it when I got to the station-house—when we got there, he said he did not see why he should be turned out of the house to make room for another man—I found this knife in his waistcoat-pocket—it was shut up—his coat was unbuttoned when I took him.

Prisoner's Defence. I had no knife or any unlawful weapon whatever in my hand—I struck her with my hand—I had been supporting her about eight months, and thought it very hard to be turned out for another man—she did not tell me where the lodging was that she had got for me—she wanted me to lodge with a girl of the town, but I refused to go to such a place, being a hard working man.

GUILTY of a common Assault. Aged 35.—Confined One Year.

1849. RYCE BYRON JONES was indicted for forging and uttering, on the 1st of May, an order for the payment of 70*l.*, with intent to defraud William Maste:man and others—6 other Counts, varying the manner of stating the charge; to which he pleaded

GUILTY. Aged 18.—Confined Two Years.

Fourth Jury, before Mr. Recorder.

1850. JOHANNA BLAND was indicted for feloniously killing and slaying Mary Bland.

Messrs. BODKIN and ESPINASSE conducted the Prosecution.

WILLIAM SINNOCK (*police-constable F 91.*) I was in duty in Clare-street, Clare-market, about twelve o'clock, on the night of the 8th of June—my attention was called to a woman with a child in the street—in consequence of what passed between us I went to look for the prisoner—I found her in a gin-shop, drunk—I asked her if it was her child—she said yes, it was—I asked her to take the child—she said she did not know what to do with it—I did not understand her to mean that she was not in a fit state to take care of it—she did not take it—I took her to the station-house—the child was taken the same night, after the prisoner was locked up, to Mr. Snitch, the surgeon, as it appeared to be ill—Mr. Snitch said he could do nothing for it—I gave a woman 1*d.* to fetch some new milk to give it—the child took a little, as well as it could—it was then given in charge of the same woman who had it before—I have not been able to find that woman since—she has been kept away—the prisoner's brother threatened her the day after she was before the Magistrate—I saw the child on the Friday following, at Bow-street—I saw it dead at the inquest—it died on the 28th—it lived twenty days—it was in the workhouse all that time.

Prisoner. I gave the woman 1*s.* a week to take care of the child—my circumstances were very poor—I had an aged mother to support—I do not know what has become of the woman—she robbed me of every thing and left—did you come into the public-house, and see me there? *Witness.* I looked in at the door and saw you—I beckoned to a person in the gin-shop to tell you to come out.

ELIZABETH COPE. I am the wife of Henry Cope, and live in Clement's-lane, Strand. The prisoner lodged at the same house about a fortnight before Christmas last, and removed about six weeks before she was taken into custody—this child was born in that house on the 6th of March—it

was a girl, and was a fine, healthy baby—it was afterwards called Mary—the mother went out about nine days after it was born.

Q. From that time until she left Clement's-lane what was her treatment of this child? **A.** She used to go out about six or seven o'clock in the morning, and not return till eleven or twelve at night, or sometimes one or two o'clock in the morning, and she was generally in a state of intoxication when she came home—while she was out the child was left in care of a little girl of her own, about eight or nine years old—she had five children—she supported them by her own hand labour, except 5s. a week, which she was allowed by her husband—she worked as a tailoress, and earned 2s. a day, I believe—the baby was left without food while she was out—the other children were in the habit of being out a great deal, and the neighbours used to give them food, in a great measure; and when they were out the baby was left by itself—I have told the prisoner how it was neglected, and the other neighbours likewise have told her—she has frequently wished the child was dead, and I have heard her say she would give any person a pint of gin if they would *burke* it—she has said that when she was sober—she is a very violent woman—it was not said in temper, because we were complaining of her neglecting it—I have repeatedly suckled the child myself, fed it, and clothed it, because it was so neglected—it was left for days together in a state of nakedness, and in a filthy, dirty state—I saw the child after it was sent to the workhouse, and I have suckled it in the workhouse, by the request of the guardians—it was in a very weak, low state—it rallied a little, but very trifling—the only difference I saw was in the work of the eye—it appeared more bright, and to take more notice, from the care taken of it—it appeared a little more lively and cheerful for several days—it died on the 28th of June—it had arrow-root and mutton-broth while in the workhouse, and three times a day it had the breast.

Prisoner. When my baby was born there was a mad dog in the room which had fits, and the baby had the same fits that the mad dog had—the child was convulsed from the time it was three days old—I left it in care of my little girl, who is thirteen years old—this woman fell out with me, and has been repeatedly vowing vengeance against me. **Witness.** I have not—I never saw the child in a fit till the day before it died—I never saw any mad dog in the room—her eldest girl is thirteen years old, it was not left in her care, but in care of the child between eight and nine.

MR. BODKIN. **Q.** Have you given your evidence in consequence of any quarrel with the prisoner? **A.** No—she quarrelled with me, but I cannot say I ever had any ill feeling against her, it was merely on account of the children—they were quarrelling with each other, and, I believe, I gave one a box on the ear.

MARY WHITE. I am the wife of Henry White, and live in Clement's-lane, Strand. I first saw the baby when it was about six weeks old, in its sister's arms—it appeared to be in good health, but in a very dirty state as to clothes—I have suckled, and washed, and fed the child myself, seeing it in the lane crying with hunger, and in so dirty a state—it had no clothes, but rags tied round it—I never saw the prisoner but once to know her, and that was one Wednesday evening—she came to me, and asked if I was the person who took her baby and suckled it—I said yes, I had repeatedly, and she thanked me for it—she said she should like to have a person to take care of it, if she could get any one.

JAMES MACHUGH. I live at No. 3, Lincoln-court. The prisoner came

to live in the front garret of a house of mine, No. 19, Lincoln-court, about two months ago—she brought some children with her—some time after she had been there I went into her room—I found the baby there, and another small child about two years old—I thought the infant was dead—it frightened me—it was lying on its mouth and nose—I was afraid to meddle with it, and ran down stairs and called the neighbours—eight or ten persons came up—a woman lifted it up, and gave it the breast—it seemed to be very weakly—it sucked the breast, and revived then—I saw the prisoner about eight o'clock that night—I went up to her and told her she must either quit that room or take the infant with her to where she worked, for I expected the child would be found dead there—I told her of the state in which it was found—she said she never suckled any of her children, she always reared them without—I told her I would go to Bow-street the next morning, and compel her to take the child with her or take it away—she said she did not care a d—— for me or what I could do—I cannot say whether she was drunk at the time—she might have been drinking—next morning when I got up she was gone and all her children—she came again one night about three weeks after and wanted the room again—she said she had come from Gravesend—she had a few things with her, and a girl, as I thought, to take care of her children—I would not let her have the room because I did not like her character.

Prisoner. You said you were willing to let me have the room, only the lodgers made a noise about the children, and you turned me out in the rain with my nurse and four children, and my dying baby in my arms. *Witness.* She had a young woman with her, but she was too young for a nurse.

MICHAEL SULLIVAN. I live in Lincoln-court. I went into the prisoner's room there between eleven and twelve o'clock one Thursday night, six or seven weeks before the child died—I asked her if she was not ashamed to treat the children in the manner she did—she abused me, and called me a b—— —I spoke to her about the child—she said it might die and be d—— —she might have had a *sup* of drink, but was not intoxicated—she knew what she was saying—I was a stranger to her—she seemed provoked at my interference, and those words were said in the heat of passion—I did not see her do any thing to the child—it was in a very dirty state.

Prisoner. Q. Did you not bring a policeman with you? *A.* I did, F. 11, and he saw the state of the child.

ROBERT ATKINSON KIRBY. I am relieving-officer of the Strand Union. I saw the prisoner in March last, when the child was nearly a fortnight old—I proposed to her to take her and all her children into the workhouse—she said she would not come—during her confinement I supplied her from the parish funds, with blankets, and whatever was necessary—she never made any application for relief after that—I was aware that she was earning 2s. a day—I have known her ever since I have been relieving officer, and I knew how particularly she was placed—we do not take the children in without the mother—she has not lived with her husband lately, and this child and two others are by another man—when I visited her the child was lying on her arm as if she had been suckling it—her mother was with her at the time, and I offered to take her into the workhouse also.

Prisoner. Q. Did you ever hear of my neglecting my children? *A.* Yes—I went before this child was born, in consequence of some application

to me, and said I understood she was neglecting her children, and it was my duty to see them protected—she said it was no business of mine, she had a right to do what she liked with her children as long as she did not come to the parish for it.

JAMES IVORY. I am a broker, and live in Gilbert-street, Clare Market. I have seen the prisoner carrying the child with its head downwards and its feet upwards, and have heard her say she wished it was dead, and then she would have a good *drunk*—I have put the child in her arms myself and covered it over with a shawl—she was intoxicated at the time—I never saw her in any other way—she has passed my door thirty or forty times with it.

Prisoner. He has sworn this against me because he had a child of mine, thirteen years old, in his bed, and he had seduced her. **Witness.** It is false, this is the first time I ever heard of it—the child has been sleeping on the stairs and in the dust-hole to get out of the way of her mother's violence—I keep four lodging houses for labouring men—two of the prisoner's brothers have threatened my life, and that of Mrs. Cope's, for coming here to give evidence.

MARY SPENCER. I am married, and live in Clement's-lane. The prisoner was lodging at our house—I told her if she neglected her child, I would have her taken up to Bow-street, but being very deaf, I could not hear what she said—I went to a public-house to tell her to come home, for the baby was screaming itself to death in the other girl's arms, who had a candle in one hand, and I expected every minute she would have set fire to its clothes—she flew at me violently, and pushed me out of the house.

JAMES SELWAY (police-sergeant F 11.) I was called by Sullivan to No. 19, Lincoln-court, about the 21st of May—I went to the front attic, and saw the prisoner sitting on the ground with the child in her lap, four pieces of bread before her, a bundle of radishes, and some salt—there were three children on some shavings, partly naked—the child in her lap had a ragged dirty bed-gown on—it looked to me as if it was starving—I told her it would be better to apply to the parish to have relief than have them starving—she said she did not want any relief from the parish, she could earn half-a-crown a day, and that was enough to support her family—I told her I should make application to the Magistrate about it tomorrow—she said she did not care a pin about it, and was very abusive to two men and two women in the room—she tried to push one of the women out of the room.

Prisoner. Q. You saw me giving my children as much as I could afford. **A.** I saw you giving them nothing—the bread was on the ground—you did not say, if they were dirty, they did not want for victuals—you had been drinking—it was just before twelve o'clock at night.

MARY MURPHY. I am the wife of Richard Murphy, and live at No. 19, Lincoln-court. I knew the deceased child—I have seen it at the door with one of the little girls, about four years old—it seemed very much in want, and was crying most awfully—I have taken it out of the girl's arms, and suckled it—I saw the prisoner one evening coming down the court, a lot of neighbours got round her, and told her she ought to be ashamed of herself for neglecting her baby—she said, she did not want me or any of the neighbours to take care of her baby, for she had left plenty of food for them at home—I went into the prisoner's room next morning, no one was there but the baby lying on the bed—I saw no food there—I suckled

it, brought it down stairs, and gave it to one of the children—it seemed to me to want nourishment, for it drew my breast stronger than my own child did, which is nine months old—children that are properly attended to, take the breast rather easily—I saw nothing in the prisoner's room but the bare walls, the bed it laid on, and an old plate.

JAMES PARISH. I paid the prisoner 5s. a week, on account of her husband, who is a journeyman tailor—I continued to do so till the 22nd of June—it was paid by order of the Lord Mayor, in consequence of an arrangement made before him—I do not know what the husband earns—I had paid her the week before she was taken into custody.

HENRY GREIG JONES. I am a surgeon and one of the medical officers of the Strand Union—I saw the child on the 10th of June, in the workhouse—it was in an extremely emaciated state, and in a state of perfect exhaustion—I attended it till it died, which was on Sunday morning the 28th—my opinion is that it was in that state from want of food—it rallied slightly, under the treatment, and afterwards sank—I gave very strict directions that it should not be overfed, and I have very great confidence in the person that administered the food—it would have been dangerous to overfeed it—it was fed cautiously with a little milk and arrow-root in small quantities—I did not see every spoonful administered, but I have no doubt my instructions were attended to—I made a *post mortem* examination—I found the internal structure of the child perfectly healthy—I should refer its death to want of proper nourishment and care, previous to the time I saw it—I opened the head, there was no appearance of disease there—the child was a little convulsed on the Friday and Saturday previous to its death, not before—in cases of death from exhaustion they frequently have slight convulsions—children are very subject to it.

COURT. Q. Can you undertake to say that it died from starvation, and not from any injudicious supply of food after it got into the workhouse? A. I have every reason to believe so—I have no reason to doubt it—overfeeding will frequently cause sudden death, but then there would be some inflammatory appearance about the intestines.

CHARLES JAMES SNITCH.—I am a surgeon, and live in Brydges-street, Covent-garden. The child was brought to me by Sinnock and a woman on the morning of the 9th of June, from a quarter to half-past twelve o'clock—it was in a state of extreme debility and exhaustion, so much so, that I told the man I could do it no good, he had better take it away and give it nourishment, for I thought in all probability it would not be long before it died—I could not form any judgment from what that debility proceeded, because I made no inquiry into the circumstances—the face was very little larger than a China orange, and very much shrivelled up—it was quite an old emaciated countenance—I assisted Mr. Jones in part of the *post mortem* examination—I have heard his evidence, and fully concur in the opinion he has expressed as to the cause of the child's death.

COURT. Q. You think an interval of twenty days having occurred does not prevent your speaking with confidence on the cause of death? A. It does not, for it appears to me the child never rallied from the first—the food it afterwards received did not nourish it—it had not functions to receive it.

MARY COPE *re-examined*. I had the care of the child after it was taken from the house—I suckled it—it had a nurse besides—I have seen it fed with arrow-root—in my judgment it was discreetly managed, so as not to

receive more food than it ought to receive with advantage—it appeared to me properly treated—the greatest care was taken of it.

Prisoner's Defence. No one can ever say I neglected my children; I was willing to work for them as far as laid in my power; I have not lived with my husband for seven years; he gave me 5s. a week to keep four of them; two have since died—I have one eleven years old, one eight, and one thirteen; and have had to keep them through a long dreary winter, and having a heavy fit of illness myself; this child was very weakly and bad when it was first born; I had to work in Marlborough-street, and it was too far for me to come home to it—I do not mean to say the children might not have neglected the baby while I was out, but I never wronged them; I was labouring for them; I never troubled any charity or anything in the parish; I have an aged mother eighty-two years old to keep also; I was often out from five o'clock in the morning till twelve at night if my employer was busy; I could not come home at my own time, but I was obliged to wait my employer's time; all the witnesses are combined against me, and I am alone without a friend or a shilling to assist me; Mr. Ivory keeps houses of ill fame, and has sworn a spite against me because I went out to look after my child, who he had seduced from her home—my children have been my only comfort since my husband went to live with my brother's wife. I have kept myself destitute for my children's sake; I often went to public-houses to get jobs from one and another; I gave the woman 1s. a week and her victuals to mind my baby, and I was very happy to think I could go to my work and leave my baby safe; that night I went to get some work, and they took the baby from me.

ROBERT ATKINSON KIRBY *re-examined.* We have two of her other children under our care—they are in good health—the other two are under the care of the father—on the 8th of June they were in a very poor, emaciated state—they had very little among them all—there was enough to support life and tolerable health—the one thirteen years old was occasionally at home—I saw the prisoner's mother, I think, yesterday or the day before, and offered to take her into the workhouse, as she was in a very filthy state, but she refused—she was in at one time, but the prisoner had her out again—she has an allowance from the Roman Catholic chapel in Lincoln's Inn-fields.

GUILTY. Aged 39.—Confined One Year.

1851. THOMAS TRIMMER was indicted for breaking and entering the dwelling-house of Ann Aldridge, on the 2nd of July, and stealing therein 1 neck-chain, value 3*l.* 10*s.*; 1 guard-chain, value 3*l.* 10*s.*; 1 watch-chain, value 3*l.*; 4 pairs of spectacles, value 1*l.*; 2 necklaces, value 6*s.*; and 2 watch-guards, value 1*s.* 6*d.*; her property.

MR. BALLANTINE *conducted the Prosecution.*

WILLIAM RICHARD TUCKWOOD. I am assistant to Ann Aldridge, a pawnbroker, in Orange-street, Bloomsbury. On Thursday morning, the 2nd of July, about nine o'clock, I was by the side of the window, behind the counter, and heard the glass break—I ran into the street, and found one of the lower panes, about the centre of the window, broken—it was sound before—I saw the prisoner walking hastily away, round the corner—several other persons were before and behind him—I went up and seized him—he did not resist—I took out of his hand three gold chains, four pairs of spectacles, two necklaces, and two plated guards—they are the property

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of my mistress—I met Collier, the policeman, who took the prisoner from me.

Cross-examined by MR. PHILLIPS. Q. When you went on a little did not the prisoner beg of you to go back that you might fetch your hat? A. Yes, as it was pouring with rain—he was carrying the things in his hand—his hand was bleeding—he passed the door after breaking the window.

GEORGE COLLIER (*police-constable E 38.*) I was in Castle-street on Thursday morning last—the prisoner was given into my custody—I took him to the station-house—he said he was looking at the spectacles.

MR. PHILLIPS called

HENRY HARRIS. I keep the Angel wagon-office. I went to school with the prisoner—he was once upon the Stock Exchange—for the last two years he has been in any thing but a sane state of mind—these papers (*looking at them*), headed “The National Debt,” and “Man’s perpetual Inheritance, designed to illustrate the grand Income of the Country,” are in his hand-writing—about three months ago he came to my office in Farringdon-street, with a great basket on his shoulder—it would contain from fourteen to twenty loaves of bread, or more—on my desiring him to put it down, I found in it a very small bottle of blacking—he took the basket away—I have frequently seen him so flighty—I considered him in a very unsteady state of mind—he has produced writings to me to the same purport as those produced—I think it was about six months ago that he first produced one of his writings—one day he called on my brother, I was dining there with a friend, and he came, in a very abrupt manner, knocked at the door, and asked for Mr. Harris—the servant asked him to walk in, while she took his name to her master—he said, “No, I will follow you up,” and he did so, entered the room, and said, “I beg to apologize for my appearance, I have come a long distance”—he looked in a very dejected state—I and my brother asked where he came from—he said he had walked from his father’s, who lived at Kew—I was satisfied, from his conversation, that he had not done so—I said, “I don’t think you are telling the truth”—he said, “Did I say so?”—I said, “Yes, you just said you slept at your father’s last night, and started from there this morning”—he said, “If I did say so I did not know it, my memory is very treacherous”—I do not believe him in his right mind—his manner was very incoherent and wild—I have frequently said he was deranged—I have not a doubt of it.

Cross-examined by MR. BALLANTINE. Q. You have known him since he was at school? A. Yes, upwards of twenty years—he was not equally eccentric, but he was never very shrewd—he was remarkably eccentric about three or four years ago, about the time of his misfortunes—I knew him intimately before that, and he has frequently called on me since—he lived at No. 17—I do not know the name of the place—I know where he lives now, as I called at his house yesterday—it is somewhere in Red Lion-square—he lived with his wife—during the last three or four years I have, on an average, seen him every six weeks—he has never dined at my house—he has been on my premises—he was very poor—I believe he gained his livelihood by hawking blacking and tea—I have bought both of him—I recommended him, about two years ago, to a person named Sanders, as an agent to sell blacking—he was not so bad then—he was Sanders’s agent for about two months—it was during that time I purchased of him—I have not bought of him since.

MR. PHILLIPS. Q. Are you one of the persons contributing towards his

defence, knowing the situation he is in? *A.* I have stated that I will bear my portion of the expense—I have not the slightest object in getting him confined for life.

JOHN ANDERSON. I am clerk at the Compter. The prisoner was given into my charge for assaulting Mr. Lloyd the banker—I observed his manner while in prison, in September, 1839, and from his general demeanor, I should say he was not competent to take care of himself—he was with me for a month for the assault, and was then discharged on his own recognizance—he did not know who it was he had assaulted—he asked me the question, “What have I done? tell me what I have done”—he was called up on two or three occasions to try to explain the matter, but he could not tell who he had assaulted, nor where he had committed the assault—he asked me four times at least, who he had assaulted—I did not consider him accountable—he was called up into the office about a week after he was in custody, and saw his father—I believe he said, “What do you want here? I can go out if I like, and I shall walk out with you; I have done nothing, and if you pay any money for me, I will never pay you again; I don’t want any money, I have done nothing; who have I assaulted?—where was I brought from?”—about two days afterwards, the father came again, and he was called into the office to see him—he said, “Well, have you done what you said? what am I to do now; shall I go out, can’t I go out? let me go out”—I said, “Certainly not, you cannot go out, you must stop here”—he conducted himself in such a way, that our people did not consider him safe to be left by himself—some one was kept with him—it would not be safe to let him out at present—I should not be surprised at his turning to violence to-morrow.

MR. BALLANTINE. *Q.* During the whole time he was in the Compter, was any body kept with him? *A.* Yes, we would not put him by himself—three other prisoners were put with him—the surgeon saw him in the ordinary course of his duty, but did not examine him to see whether he was insane or not—I did not suggest to the surgeon to examine him—I certainly think it would not be safe to let him go out alone.

MR. PHILLIPS. *Q.* Was his conduct the general subject of conversation and observation in the prison? *A.* Most certainly it was—I have come here, hearing he was in custody, without being subpoenaed.

MARIA WEBB. I lodged in the prisoner’s house in Compton-street, Brunswick-square. I have had opportunities of observing his conduct—about six weeks ago he went to the foot of the stairs, and called out to ask me the next weight to an ounce—I asked him if it was half-an-ounce or a quarter—he said, “Hum”—I said, “Is it grains or scruples?”—he said, “Ah, ah,” I believe—he did that on several occasions—I have frequently said I did not think him right in his mind—I know no reason for his asking me those questions—he would make grimaces—last Sunday week he had a newspaper in his hand—I did not hear his words distinctly, but his voice rose and fell as a clergyman’s in the pulpit—I have two sons apprenticed—a few days ago he asked me if they were going to enter into business—I said, “No, they must go through their apprenticeship first”—he looked at me earnestly, turned round in a minute, and started out of the room without the least reply.

MR. BALLANTINE. *Q.* How long had he lived there? *A.* About nine months—he was there when I went—Mrs. Barnes is the landlady—she is not here—he gained his livelihood by making a little blacking, and carrying it out.

GEORGE HARRIS. The prisoner's wife gave me the pamphlets produced, last Saturday, at his lodging, since he was taken up.

GEORGE GABEL. I am a hair-dresser, and live in Compton-street, Brunswick-square. I have known the prisoner about eighteen months, I have been on friendly terms with him, and have frequently conversed with him—he appeared to have a very strange manner—I have often stopped in the street and spoken to him, and he has looked at me, and gone on in a very strange manner, never making any answer—at other times he would stop and converse with me freely—I had never offended him at all—he always appeared wild, and would ramble from one thing to another—I have often remarked, “If a man was ever out of his mind, he must be so.”

GUILTY. Aged 29.—Confined Three Months.

NEW COURT.—*Wednesday, July 8th, 1840.*

Fifth Jury, before Mr. Common Sergeant.

1852. ELIZABETH HOLLAND was indicted for a misdemeanor.
NOT GUILTY.

First Jury, before Mr. Common Sergeant.

1853. SIDNEY SMITH was indicted for a misdemeanor.

MESSRS. ESPINASSE and LUCAS conducted the Prosecution.

RICHARD HARRIS FLOYD PITT. I am a hair-dresser, and live in Smith-street, Westminster. On the 8th of June, about seven o'clock in the evening, the prisoner came to my shop and asked for a tooth-brush, which came to 6d.—he tendered me a half-crown, which I saw was counterfeit—I told him it was bad, and asked where he came from—he said, Mr. Dalton's clerk had sent him for it—I gave him into custody—the policeman marked this half-crown and returned it to me.

ROBERT MALOM (*police-sergeant B 3.*) On the 8th of June I went to Mr. Pitt's—I marked the half-crown, and returned it to him—on the 21st of June, in consequence of information, I went to Mr. Cameron, and the prisoner was given into my custody for passing a bad shilling, which I produce—I found nothing on him.

SARAH CAMERON. I am the wife of James Cameron, tobacconist, Broadway, Westminster. On the 21st of June, a little before ten o'clock at night, the prisoner came for half-an-ounce of shag tobacco—he tendered me a bad shilling—I took hold of his coat—he endeavoured to get away—my boy called the policeman—I gave him the shilling after I had marked it.

MR. JOHN FIELD. I am inspector of coin to the Mint. These are both counterfeit.

Prisoner. The man who gave me the half-crown said he was clerk to Mr. Dalton, and he would give me 2d. to get it.

ROBERT MALOM. He directed me to Mr. Dalton, in Milbank-street—I went there, but could not find the person I wanted.

GUILTY. Aged 17.—Confined Six Months.

1854. MARY ANN SMITH was indicted for a misdemeanor.

NOT GUILTY.

1855. JOHN SMITH was indicted for a misdemeanor.

WILLIAM DENNIS. I am twelve years old, my father is a gardener,

and lives at Hackney-wick. On the 13th of June I was in Spitalfields-market, selling flowers in pots—the prisoner came and asked what I wanted for a dozen—I said “3s. 6d.”—he offered me 3s.—I at first refused, but afterwards let him have them at that—he gave me half-a-crown and 6d. worth of halfpence—I went with him to take the pots over to the public-house—he stood them down on the pavement—I gave the half-crown and the halfpence to my mother—I had put the half-crown in my pocket first, but I had no other money there.

MARY DENNIS. I am the witness's mother. I was standing in the market selling plants—I got the half-crown and the halfpence from my son—I gave the half-crown to a man at the potatoe-warehouse, as I was going home, and he cut it in two—I kept the two pieces, and gave them to the policeman.

Prisoner. Q. Did you not say, at Worship-street, that you gave the half-crown to the man's wife? A. No, I gave it to the man—his wife called him—I had no other half-crown in my pocket.

JOHN SELLIS MILTON. I am the son of John Milton, a market gardener. On the 20th of June I saw the prisoner in Spitalfields-market, where I was selling onions—he asked me what they were a bunch—I said, 7d.—he said, “I will give you 6d.”—I said, “No”—he then gave me half-a-crown—my father came up, and saw it was bad—he took it, and took the prisoner to the station-house.

Prisoner. Q. Did you not put it into your right-hand pocket? A. No.

JOHN MILTON. I left my son in possession of the goods—he returned the half-crown to the prisoner—I took it from the prisoner, and took him to the station-house—I gave the half-crown to the officer.

GEORGE KING (*police-constable H 111.*) I received the half-crown from the witness Milton, and received these two pieces of a half-crown from Mrs. Dennis.

MR. JOHN FIELD. These are both counterfeit.

Prisoner's Defence. On the 13th of June I was at home in Westminster, from seven o'clock in the morning till ten at night; on the Wednesday before I received an injury by falling down; and I was very ill; I was not able to go out till the Monday following; I then went as far as Ascot Heath, and was there till the Friday, and on that morning I returned by the rail-road from Slough to Paddington; I received the half-crown, which I offered on the 20th of June.

GUILTY. Aged 23.—Confined Six Months.

1856. THOMAS GODFREY was indicted for obtaining goods by false pretences.

HENRY BLACKLIN. I am warehouseman to James Coster and another, of Fountain-court, Aldermanbury. The prisoner came there on the 13th of June—he did not come to me in the first instance, but some goods were brought down to our entry-room for me to give to him—I asked him who they were for—he said, “For Clark and Musson, of Islington”—they deal with us—I delivered the goods to him—this was on the 13th—on the 17th he came again, and I delivered to him some ducape handkerchiefs—I said, “Who are the goods for?”—he said, “Clark and Musson”—he came again on the 22nd, and I got into an omnibus with him, intending to go to Clark and Musson, but on the way he said, “I am guilty, it is no use going any further”—I gave him in charge at the post-office—I had told him in the warehouse that I would go with him to Clark and Musson.

THOMAS BEALE. I am warehouseman to Mr. Coster and another. On the 13th of June the prisoner came to me, and asked for a piece of satteen for Mr. Clark, of Islington, a draper—we deal with him—I should not have let the prisoner had it if he had not said he came from there—he selected a piece of satteen, followed me down to the entry-room, and I delivered it to Mr. Blacklin—I should not have done so if the prisoner had not said he came from Mr. Clark, of Islington.

Prisoner. Q. Can you swear that you gave the satteen to Mr. Blacklin to enter? A. I put it on the counter, and handed it over to him.

HENRY BLACKLIN *re-examined.* I received the piece of satteen in the room—I do not recollect whether I received it out of his hands—it was on the counter, and I packed it up.

SAMUEL CLARK. I live at Islington, and have one partner. I did not authorize the prisoner, on the 13th of June, to go for this satteen—he was living with me eight months ago.

GUILTY. Aged 19.—Transported for Seven Years.
(There were two other indictments against the prisoner.)

1857. JOHN COLLINS and WILLIAM WARREN were indicted for burglariously breaking and entering the dwelling-house of William Keates, about three o'clock in the night of the 19th of June, with intent to steal, and stealing therein, 1 bag, value 1s.; 1 frock, value 1s.; 1 petticoat, value 2s.; 1 pair of drawers, value 1s. 6d.; and 1 handkerchief, value 6d.; the goods of the said William Keates.

WILLIAM KEATES. I live at No. 2, Bennett's-yard, Margaret-street, in the parish of St. John the Evangelist, Westminster; it is my dwelling-house. On the morning of the 19th of June I was alarmed, about a quarter before three o'clock—on getting up I saw the prisoner Warren in the centre of my outer-room—(my house consists of two rooms)—before I could get to open the parlour door he sprung upon a table, and got through an air-hole—I had been there about half-past eleven o'clock—the air-hole was then secure, and fastened by a catch, and I then found it open—there was nothing displaced in the room but a clothes bag, which the night before I had left suspended from a cupboard-door, was placed in the centre of the room—when Warren sprung out I gave an alarm—I am sure Warren is the man I saw.

JOHN WILLIAMS. I live in Bennett's-yard, next door but one to the prosecutor; the house between us is unoccupied; I am a lamp-lighter. On the morning of the 19th of June I was returning home—I heard a noise, and stopped—the prisoner Warren stepped out of the unoccupied building—I was about to lay hold of him when he drew back, shut the door, and fastened it—I took my own key out, and went into my own place—I went to the back and saw Warren escaping into Tufton-street—he had his trowsers and shirt on—I then went to Tufton-street, and saw the two prisoners together—they saw me, and ran—I called "Police," and they separated—Collins turned a turning—I followed Williams till I lost sight of him, but a policeman ran on till another officer took him—neither of the prisoners had shoes or stockings on—after I lost sight of Williams I came back to see what became of Collins, and they were bringing him back from a place where he had scaled over a wall.

PATRICK M'EVoy (*police-constable B 121.*) I heard a cry of "Stop thief," and saw the two prisoners running down Tufton-street together—I

pursued them—on getting near them, they separated—Collins ran to Tufton-place—I followed him—he got over two walls, and on to a shed where I took him—I asked why he was guilty of such an outrage of going into the place—he said it was the other lad—there was a pair of old boots in the prosecutor's premises—I brought them to the station-house—Collins denied their being his, but he afterwards acknowledged that they were his—he put them on, and wore them.

GEORGE CARTER (*police-constable B 151.*) I heard the rattle at three o'clock in the morning—I went, and saw Williams running out of Peter-street into Perkin's-rents—I followed and took him—I saw Collins when I got to the station-house—I told him in the morning to put on his shoes—he said, "It is no use denying it, they are mine," and he put them on.

CHARLES SANDILANDS (*police-constable B 27.*) I produce a piece of wood which the prosecutor found on the top of his house—I had seen the two prisoners together at half-past two o'clock that morning.

WILLIAM KEATES *re-examined.* I found the shoes on the back wall of my premises—I found this piece of wood on the top of my house—by removing this they were able to get at the catch of the air-hole—they were forced to break this up to undo it—the bag contained the frock and the other articles stated in the indictment.

GEORGE KEMP. I am a policeman. I produce a certificate of Collins's former conviction, which I got at Mr. Clark's office—(*read*)—he is the person.

COLLINS—GUILTY. Aged 16.	} Transported for Ten Years—
WARREN**—GUILTY. Aged 19.	
(There was another indictment against Warren.)	

1858. ELIZABETH GARDNER and CHARLOTTE HILLSBY were indicted for stealing, on the 4th of July, 1½ yard of printed cotton, value 1s., the goods of Frederick Dalgoutte.

ELIZABETH DALGOUTTE. I am the wife of Frederick Dalgoutte; we live in Orchard-street. At half-past eight o'clock, on the 4th of July, the prisoners came into my shop—before they came in I had seen my printed cotton safe, and after they went out I missed it—Gardner had stood nearest to it—I went out, and saw Hillsby standing at the corner of the street—I returned to my shop, thinking I might be mistaken—I looked all about, but I found it was gone—I went back again to where the prisoner Hillsby was—I saw Gardner meet Hillsby—I tapped Hillsby on the shoulder, and said, "If you please, will you give me back the bit of cotton?"—she said she had paid for the two pieces that she took—I said, "You paid for two, but you took another"—she said she had not—the officer came and took her—she then said she knew where it was, and would take us to the place, and it was found there between the bedstead and the wall—Hillsby said she knew where the cotton was without communicating with Gardner.

Hillsby. I did not tell her where it was; I said I would take her to where we were living. *Witness.* She told me the cotton was left in the lodging.

EDWARD SHAW (*police-constable B 51.*) Hillsby said she would take me to No. 1, St. John's-court—she said she lodged there—she did not tell me I should find the print there—she said that Elizabeth was a very foolish girl.

GARDNER—GUILTY. Aged 17.—Confined Three Days.
HILLSBY—NOT GUILTY.

1859. JOHN BROWN was indicted for stealing, on the 1st of July, 3 shillings, 1 sixpence, 1 penny, and 2 halfpence; the monies of Frances Fuller.

FRANCES FULLER. I live in Steven-street, Lisson-grove. I met the prisoner outside the Phoenix public-house on the 30th of June—he asked me for a lodging, and we went home together—when we got to the door I asked what he would give me—he said, “Half-a-crown,” he gave me two shillings and a sixpence, which I put into my pocket-apron, where I had some other money—I put my pocket-apron under the bed in the back-kitchen, where I live—when I awoke in the morning I said I wanted some water—the prisoner turned up the bed-clothes and took my money—I got my clothes on, and went to the Globe public-house, where I saw him—I said to him, “Give me that 3s. 8d., or I will give charge of you”—he said, “Never mind, come have a drop of gin”—he was going into the public-house—I took hold of him, and he hit me on the side of the face—he went in and called for some gin—he threw down a shilling—I saw the woman side of it was almost worn away—I said, “I will swear to that shilling, it is one of mine”—the officer took him—I said he gave me two shillings and a sixpence, and the sixpence had got a cut in it.

WILLIAM LEONARD (*police-constable D 50.*) I took the prisoner—the prosecutrix said there was a new sixpence which had a cut in it, and it would be found on him—I searched him, and found this sixpence (*producing it*) which exactly corresponds with what she described—here is the shilling with the woman side worn away.

Prisoner. I went to the house to have some gin—I put down a shilling, and she said, “That is mine, I will swear to it”—there was nothing said about a sixpence at the station-house when I was given in charge. *Witness.* She said it before she got to the station-house.

Prisoner's Defence. I never saw her; she might have got tipsy, and been robbed by some one, and said it was me; the young man I slept with that night is here.

JOHN MOSS. I am a shoe-maker, and live in Exeter-street, Lisson-grove. I have known the prisoner eighteen months—on that Tuesday evening he and I went home about twelve o'clock—I awoke in the morning about seven o'clock, and he was gone—I cannot tell what time he left.

NOT GUILTY.

1860. JOHN SLATER was indicted for stealing, on the 23rd of June, 1 box, value 5s.; 5 gowns, value 2l.; 4 shifts, value 6s.; 4 petticoats, value 6s.; 1 scarf, value 3s.; 1 shawl, value 5s.; 5 pairs of stockings, value 3s.; 2 pairs of shoes, value 5s.; 1 handkerchief, value 1s.; 8 yards of ribbon, value 2s.; 3 brooches, value 6s.; and 1 pair of ear-rings, value 3s.; the goods of Mary Ryan.

MARY RYAN. I employed the prisoner as a porter in Drury-lane on the 23rd of June—I gave him a box to carry for me, containing the articles stated—I was going to service at No. 7, Fitzroy-place—I told him to go to the square, and I would meet him—I went there, and he did not come—I waited an hour and a half, and then I got an officer—we could not find the prisoner that night—the box was found two days afterwards, but the things were all gone out of it—this is the box—(*looking at it.*)

MARY BRAIN. I am the wife of Thomas Brain. On Tuesday, the

23rd of June, I saw the box delivered to the prisoner—he came back to my house on the Thursday morning after, between five and six o'clock, and said, "Here is the box"—I said, "What kept you from coming?"—he said, "I was at work, and I had it locked up in my room ever since"—I took it in—he said, "It is not open"—I shook it, and found it was locked—I left it in my room, and told the prosecutrix where it was—I did not open it at all.

CHARLES HENRY BAGNALL (*police-constable F 31.*) I went to Brain's lodging, and found the box—it was locked—the landlord opened it with a chisel—all the things were gone out it.

Prisoner. The prosecutrix came to me at the corner of Charles-street, and said, "Will you carry a box for me, and I will give you a few half-pence?"—I went to No. 22, Short's-gardens with her, and she fetched the box out for me—I went on with it to opposite Plumtree-street, and there she stopped to speak to a person—she had another box in her hand, and told me to go on to the corner of Fitzroy-place—I took it there, and she did not come—I waited for two hours, till ten o'clock at night—I then took it back in the same state in which it was given to me.

MARY RYAN *re-examined.* I am sure the things were in it when I gave it him—it was at seven o'clock—I went and waited an hour and a half for him—the box was heavy when it had the things in it.

MARY BRAIN *re-examined.* The box was brought back to me early on Thursday morning—the policeman and Ryan came about ten o'clock the same morning—no one had been there to steal any thing out of it—it was all the time in my room—I was not at home all the time—I was out in the street with a basket of fruit—my room-door was not locked—there was my child in the place, who is six years old, and a woman who goes out with milk was there at breakfast.

NOT GUILTY.

1861. DANIEL GADD and EDWARD WEST were indicted for stealing, on the 2nd of July, 1 lb. 12 oz. weight of cheese, value 1s., the goods of William Taylor; to which Gadd pleaded

GUILTY.* Aged 15.—Confined Three Months.

WILLIAM TAYLOR. I keep a cheesemonger's shop in Ratcliff-highway. On the 2nd of July, about one o'clock in the afternoon, I saw the two prisoners, as I believe, pass my shop not a minute before I missed a piece of cheese—I ran out and saw the prisoners running, and Gadd gave the cheese to West—I ran, and took West with it—this is it—(*looking at it.*)

West. This boy came up to me, and said, "Here, boy, take this bit of cheese," and I took it.

JOHN FALAN (*police-constable H 136.*) Mrs. West came to me and said that Gadd was the boy that took the cheese, and gave it to her son, and said he was a wicked boy—Gadd said at the station-house that West made him take it.

WEST—GUILTY. Aged 16.—Confined Three Months.

1862. CATHERINE WILLIAMS was indicted for stealing, on the 6th of July, 24 yards of mouseline-de-laine, value 4s. 11d., the goods of Albert Chapman.

EDWARD GRIFFITHS. I am shopman to Albert Chapman, a linen-draper, in Great Russell-street. At half-past one o'clock, on the 6th of July, the prisoner came to our shop, and asked for some mouseline-de-

laine—she selected one out of the first lot I showed her, and put it under her arm—she asked for one with a darker ground—I showed her one, which she bought—she then looked at other articles, and left the shop—I followed her across the street, and brought her back—I said I thought she had something which did not belong to her—she said, “Have I?”—I took it from under her dress, and gave her in charge—this is the dress—(*looking at it.*)

Cross-examined by Mr. ESPINASSE. Q. Had you seen her before in your shop? A. Not to my knowledge—I told her I wished to speak to her—she came back—she did not say any thing else than “Have I?”—when I told the boy to fetch a policeman, she said there was no occasion for that, she should have found out her mistake when she got home, and would have returned it—I said nothing to her when I saw her take it—it was my duty to make a case of felony by letting her go—I could not do otherwise, when a person takes up goods in our sight, and leaves the shop with them, what can we suppose?—I called her attention to it by lifting up her shawl.

Q. Was your reason that there would not be a complete case of felony against her till she left the shop? A. Undoubtedly, that was one reason; I could not ask a lady in the shop why she took it.

JOHN COPE (*police-constable E 55.*) I took the prisoner, and have the property.

THOMAS HOWES. I am a Manchester warehouseman, in King-street, Cheapside. I have known the prisoner thirty years, she had the best of character for honesty—she is of an absent character of mind—she scarcely knows what she is about.

NOT GUILTY.

1863. GEORGE WOOLF was indicted for stealing, on the 24th of May, 1 watch, value 1l., the goods of Thomas Hiscock, from his person.

THOMAS HISCOCK. On the 24th of May I was in the King's Head public-house, in Orchard-street, Westminster—there was a fight, a man struck me—I felt my watch going out of my pocket—I saw a man in a brown coat going from me—I called out, “My watch, my watch!”—a witness said it was all right, that he saw a man take it, and give it to the prisoner; and when the fight was done, I asked the prisoner—he said he had not got it, and was going to turn us out—I have not seen it since.

MATTHEW DAWNEY. I was in the tap-room—I saw the prosecutor and another man fighting, the prosecutor threw the man down, and was on the top of him, and several of them turned him under—I saw a man in a brown coat draw the watch out of the prosecutor's pocket, and give it to Woolf, I am sure of that—a man was kneeling on the prosecutor at the time—I went to Woolf, and asked for the watch—he said it was all right—the prosecutor was crying for his watch—I said it was all right, I knew where it was—he said, “Very well,” now he would fight him, and the prisoner laid hold of him and turned him out—I went to him, and asked if he would give the prosecutor the watch—he said, “What do I know about the watch?”—I got a policeman and gave him in charge—there were plenty of people to have carried it off.

Prisoner's Defence. On that Sunday evening I went into this house, which a widow keeps—she came to me, and said why did I not stop the fighting, and then I parted them; this man pulled off his coat, and said, “Come on;” this man was underneath, and I took the other off; then the witness came to me, and said, would I give the watch up—I said I had

not had any watch. He went out, and fetched two policemen; I never was out of the house; and when the policeman came, he said he wanted me, on suspicion of a man's watch. I said I knew nothing of it, he might search me. The prosecutor said at the office that he was offered a watch or a sovereign if he would not come against me. Dawney has been fully committed at Westminster Sessions.

THOMAS HISCOCK *re-examined*. They said if I would come next morning I should have my watch, or 1*l*. I told them I would not do it.

MATTHEW DAWNEY *re-examined*. I was tried for stealing a crow-bar, but was acquitted. **NOT GUILTY.**

1864. **SARAH MURPHY** was indicted for stealing, on the 1st of May, 1 locket, value 8*s*.; 1 scent-box, value 4*s*.; 1 necklace, value 2*s*.; 1½ yard of merino, value 4*s*.; and 4½ yards of silk, value 12*s*.; the goods of William Bathurst: also on the 17th of June, 1 watch, value 4*l*., the goods of Edward Portwine; to both of which she pleaded

GUILTY. Aged 33.—Confined Nine Months.

1865. **ANN WATERS** was indicted for stealing, on the 28th of June, 4 half-crowns and 9 shillings; the monies of John Smallpage Mallett, her master; to which she pleaded

GUILTY. Aged 22.—Confined Nine Months.

(There was another indictment against the prisoner.)

1866. **JOSEPH SCOTT** was indicted for stealing, on the 30th of June, 1 hand-vice, value 1*s*., the goods of James Aldous.

THOMAS GOODES. I am in the employ of James Aldous, of London-street, Tottenham Court-road. The prisoner came to our shop on the 30th of June, and took a hand-vice out of the box—he came and asked the price—I told him it was 1*s*. 4*d*.—he put it back and walked away—I found one was gone—I went after him—he ran—there was a cry, when he was stopped, of “The hand-vice is down the area”—he would have the opportunity of throwing it down there—this is it, it is my master's, and the one I lost.

JOHN SARGEANT. I was coming by—I saw the prisoner take up two hand-vices, one he put into his pocket, and the other he went to ask the price of—when he went out I told the last witness, and he went after him.

ROBERT AUSTIN. I found this hand-vice in the area, and gave it to the policeman—the prisoner's father is a respectable man.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined One Month.

1867. **GEORGE THOMAS WILES** and **JOSEPH WARD** were indicted for stealing, on the 23rd of June, 1 hamper, value 1*s*.: 1 apron, value 3*d*.; and 74lbs. weight of bristles, value 25*l*. 18*s*.; the goods of the Guardians of the Poor, of the Holborn Union.—3rd COUNT, stating the hamper and bristles to be the goods of George Kent; and the apron, the goods of the Guardians; to which, Ward pleaded

GUILTY. Aged 19.—Confined Nine Months.

MR. CLARKSON conducted the Prosecution.

MARY ASHFORD. I am a pauper in the Holborn Union Workhouse. On the evening of the 23rd of June, I was sent to the house of Mr. George Kent—I brought away 74lbs. weight of white bristles—a man went with me—he brought them in a hamper—they were put into the garden-lodge

by the Alms-houses in Gray's Inn-lane—the door of the lodge was fastened—I put the key into my pocket—I put the bristles there about five o'clock, and stopped till eight o'clock, when I left them there was my own apron there—the next morning I got up at half-past five o'clock—I looked out of my window, and observed part of the hatch-door open—the gate was wide open—I do not know how they could have opened the lodge-door—I went to the place, and the hamper, bristles, and apron were gone—I communicated this to the master of the Workhouse—I saw no bristles about.

EDMUND FREEMAN. I went with Ashford to fetch the bristles, and took them to the lodge.

GEORGE SILLITOE. I am one of the paupers in the Union-house—it is my duty to lock the gate leading to the lodge—I locked it on the night of the 23rd of June, at a quarter before six o'clock—I did not unlock it afterwards—the next morning I was sent for, and found the gate shut, but not locked as I had left it.

CHARLES WILKINS. I am foreman to Mr. George Kent, of Falconstreet—he is a brush-maker—he sends bristles to the Holborn Union to be worked up—I delivered 74lbs. weight of bristles to Ashford—they were worth 25l. 18s., and the hamper was worth 1s. or 1s. 6d.—these little bundles of bristles which were picked up, are the same sort as those I delivered—they are a particular sort of bristles—(*examining them.*)

BENJAMIN HEWITT. I am master of the Union Workhouse. Wiles has been a pauper in that house, and I believe part of his family are there now—Ward had been in the workhouse, and had left it on the day previous to this occurrence—on the evening on which these bristles were lost, at eleven o'clock, Ward came, and wanted admittance, having no place to go to—he was admitted—I heard of this robbery in the morning, and sent for Mr. James.

WILLIAM ROBERT JAMES. I received a communication from Mr. Hewitt on the morning of the 24th of June—I went to the lodge, and traced bristles from the lodge, strewed rather thickly, to the entrance-gate in Gray's Inn-lane—I picked them up, and tied them in these small parcels, which have been produced to Mr. Kent's foreman—about a yard from the gate there appeared to have been a large quantity fallen, so that people had kicked them with their feet right and left—the parish of St. Andrew and St. George the Martyr, and Ely-rents, constitute the Holborn Union; the Guardians meet under the Act by which they are constituted.

JOSEPH CARTER. I am pot-boy at the Nag's Head public-house, Gray's Inn-lane—it is only one house from the Alms-house gate. On the evening of the 23rd of June I was standing near the gate, about ten minutes before ten o'clock—I heard something drop—I turned and saw Wiles with a hamper—he asked me to assist him to put it on his head—I assisted him, and some hairs fell out of the basket—he took them, put them into the basket, and covered them over with a blue apron—another person came and assisted—after he was gone I picked up some hairs, which I now produce.

PARMETER TYRRELL. I live in Lamb-court, Turnmill-street, Clerkenwell, with my father. On the 23rd of June, about ten o'clock at night, I was in Cow Cross-street, talking to one Higgins—I know Wiles—I saw him pass by with a hamper on his head—he had a cap on—he asked Higgins to give him a lift down, which he did, and then Wiles asked for a lift

across the road to the barber's shop, which he gave him—he took them up stairs at the barber's shop—I saw Wiles the next day at Mr. Giles's public-house—he was tossing up gold and silver—he dropped a half-sovereign—a man picked it up, and would not give it him back—Wiles offered the man half-a-pint of gin to give it him back—I afterwards saw Higgins—he asked me to go to the White Hart public-house with him, and there I saw Wiles, Higgins asked him for money—he said he had given 25s. away, he had lost half a sovereign, and he could not afford to give him any money, but he would give him half a gallon of beer—he said he had got so much for what he had done the night before, but I cannot say how much he said—they had some beer, and quarrelled, and the police came and took them both.

Wiles' Defence. He has stated very wrong.

WILES—GUILTY.** Aged 32.—Transported for Seven Years.

Sixth Jury, before Mr. Sergeant Arabin.

1868. ROBERT WALLER was indicted for stealing, on the 30th of June, 1 coat, value 1l.; 1 scarf, value 6s.; 2 half-crowns, 1 sixpence, 2 pence, 4 halfpence, and 1 farthing, the property of Robert Mulherne; to which he pleaded

GUILTY. Aged 21.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1869. JABEZ WICKERS was indicted for stealing, on the 6th of July, 1 shirt, value 3s., the goods of William Wallis.

WILLIAM WALLIS. I am a coal-whipper, and lodge at a beer-shop in Broad-street, Shadwell, my shirt hung out in the yard. On the 6th of July the prisoner came and had a pint of beer—I observed him go into the yard, and in about five minutes, as he came along the passage, his coat pocket appeared bulky—he went out—I ran back into the yard, and missed my shirt—I ran after him, brought him back again, and accused him of having my shirt—he said he was very sorry that he had—I found it on him—this is it.

JAMES LAMB (*police-constable V 352.*) I took the prisoner, and found this shirt in his pocket—it was wet.

Prisoner's Defence. I did not take it out of the yard, I had it in my possession.

GUILTY. Aged 21.—Confined Three Months.

1870. THOMAS BARRY was indicted for stealing, on the 29th of June, 1 pair of boots, value 6s., the goods of John Williams, from the person of David Bryan.

DAVID BRYAN. I work for John Williams, a bricklayer. On Monday, the 29th of June I was taking a pair of his boots to where he was at work, and as I crossed Seven-dials, the prisoner and two more came up—I knew the prisoner before—they asked where was I going with them—I said they were my master's—they asked to look at them—I showed them, and had them back again, but the prisoner snatched them out of my hand and went off with them—I followed him, but he went into a public-house, and got away—he was taken in two or three days—I saw the boots at the pawnbroker's.

Cross-examined by Mr. BALLANTINE. Q. What is your master's Christian name? A. I do not know—he generally went by the name of John

by the Alma-house to Gray's Inn-lane—the door of the lodge was fastened—I put the key into my pocket—I put the bristles there about five o'clock, and stopped till eight o'clock, when I left them there was my own upon them—the next morning I got up at half-past five o'clock—I looked out of my window, and observed part of the hutch-door open—the gate was wide open—I do not know how they could have opened the lodge-door—I went to the place, and the hamper, bristles, and apron were gone—I communicated this to the master of the Workhouse—I saw the bristles about.

THOMAS FARRAR. I went with Ashford to fetch the bristles, and took them to the lodge.

GEORGE SEARON. I am one of the paupers in the Union-house—it is my duty to look the gate leading to the lodge—I locked it on the night the 23rd of June, at a quarter before six o'clock—I did not unlock it afterwards—the next morning I was sent for, and found the gate shut, but not locked as I had left it.

CHARLES WILKINS. I am foreman to Mr. George Kent, of Faleth street—he is a brush-maker—he sends bristles to the Holborn Union—he worked up—I delivered 74lbs. weight of bristles to Ashford—they were worth 25l. 18s., and the hamper was worth 1s. or 1s. 6d.—these bundles of bristles which were picked up, are the same sort as those I delivered—they are a particular sort of bristles—(examining them.)

BENJAMIN BROWN. I am master of the Union Workhouse. Wilson has been a pauper in that house, and I believe part of his family are there—Ward had been in the workhouse, and had left it on the day previous to this occurrence—on the evening on which these bristles were lost, at eleven o'clock, Ward came, and wanted admittance, having no place to go to—he was admitted—I heard of this robbery in the morning, and sent for James.

WILLIAM ROBERT JAMES. I received a communication from Mr. Hay on the morning of the 24th of June—I went to the lodge, and took the bristles from the lodge, strewed rather thickly, to the entrance-gate to Gray's Inn-lane—I picked them up, and tied them in these small parcels which have been produced to Mr. Kent's foreman—about a yard from the gate there appeared to have been a large quantity fallen, so that people had kicked them with their feet right and left—the parish of St. Andrew and St. George the Martyr, and Ely-rectors, constitute the Holborn Union the Guardians meet under the Act by which they are constituted.

JOSEPH CARTER. I am port-boy at the Nag's Head public-house, Gray's Inn-lane—it is only one house from the Alma-house gate. On the evening of the 23rd of June I was standing near the gate, about ten minutes before ten o'clock—I heard something drop—I turned and saw Wilson with a hamper—he asked me to assist him to put it on his back—I helped him, and some hairs fell out of the basket—he took them, put them in the basket, and covered them over with a blue apron—Wilson came and assisted—after he was gone, I picked up some of the produce.

PARMEYER TYRRELL. I live in a house in the parish of St. Andrew, well, with my father. On the evening of the 23rd of June I was in Cow Cross—(examining the produce)—I saw a man pass by with a basket—he was carrying a bundle of bristles—he gave him

cross the road to the barber's shop, which he gave him—he took them up
stairs at the barber's shop—I saw Wiles the next day at Mr. Giles's pub-
lic-house—he was tossing up gold and silver—he dropped a half-sovereign—a man picked it up, and would not give it him back—Wiles offered
the man half-a-pint of gin to give it him back—I afterwards saw Higgins
—he asked me to go to the White Hart public-house with him, and there I
saw Wiles, Higgins asked him for money—he said he had given 25s.
away, he had lost half a sovereign, and he could not afford to give him
any money, but he would give him half a gallon of beer—he said he had
not so much for what he had done the night before, but I cannot say how
much he said—they had some beer, and quarrelled, and the police came
and took them both.

Wiles' Defence. He has stated very wrongly.

WILES—GUILTY.** Aged 32.—Transported for seven Years.

Sixth Jury, before Mr. Sergeant Brown.

1868. **ROBERT WALLER** was indicted for stealing, on the 29th of
June, 1 coat, value 1l.; 1 scarf, value 6s.; 1 half-sovereign, 1 sovereign, 2
pence, 4 halfpence, and 1 farthing, the property of Robert Matthews, to
which he pleaded

GUILTY. Aged 31.—Transported for seven Years.

(There was another indictment against the prisoner.)

1869. **JABEZ WICKERS** was indicted for stealing, on the 21st of
July, 1 shirt, value 3s., the goods of William Wallis.

WILLIAM WALLIS. I am a coal-whipper, and lodge at a house about an
acre-street, Shadwell, my shirt hung out in the yard. On the 21st of
July the prisoner came and had a part of beer—I observed him go into
the yard, and in about five minutes, as he came along the passage, his coat
pocket appeared bulky—he went out—I ran back and he put out his
shirt—I ran after him, brought him back again and asked him of
my shirt—he said he was very sorry that he had lost it, and
—this is it.

JAMES LAMB (police-constable F 352.) I took the prisoner's shirt
in his pocket—it was wet.

Prisoner's Defence. I did not take it out of the pocket, but I saw
it there.

GUILTY. Aged 21.—Confined Three Months.

1870. **THOMAS BARRY** was indicted for stealing, on the 1st of
June, 1 pair of boots, value 6s., the goods of John Thomas, son
of David Bryan.

DAVID BRYAN. I work for John Williams, a shoemaker, in
St. James's-street. On the 1st of June I was taking a pair of his boots
to a crossed Seven-dials, the prisoner and another man
came before—they asked where we lived, and I told them
my master's—the prisoner then asked me to go with him
back again, in a cab, and I went with them
to the Seven-dials, and he was

and
hand
and

Williams—I have known the prisoner twelve months—I do not know where he lived—I had often met him in the Dials at different times—I am quite sure I did not ask him to pawn them—he asked me to let him sell them—I did not mention that before, because you did not ask me—I did not tell him to sell them or to pawn them—I told the Magistrate that I told him to whom they belonged—I do not know whether it was taken down—I made my mark to the depositions—I did not hear any thing of that kind read to me.

FREDERICK POOL. I am shopman to Mr. Garratt, a pawnbroker in Long-acre. I took in this pair of boots on the 29th of June, in the name of John Barry—from whom I cannot say.

JOSEPH THOMPSON (*police-constable F 39.*) I received information, and took the prisoner. I called at the prosecutor's house, and left him at the door—Bryan said to him, "You know you stole the boots"—the prisoner pulled out this ticket, and 3s. 6d., and said, "I pawned them, and here is 3s. 6d.; I will give you 6d. more"—in going to the station-house he pulled out 5½d., and said, "Here is a halfpenny short."

Cross-examined. Q. You say that Bryan said to the prisoner, "You know you stole the boots"? A. Yes, this is my writing to this deposition—I said that to Mr. Vine, the clerk to the Magistrate—I believe what I said was not written down—I named it afterward—the depositions are taken in a little room—I have not taken a more active part in this business.

Q. Do you know a person whom you have seen, who was going to appear as a witness for this man? A. I have had conversation with the prosecutor and the pawnbroker—I have spoken to a great many people—I have spoken to a broker about Barry's case—I specify the broker, from reasons I had to suspect him—I believe he is come as a witness—I did not know it—I did not recommend him not to come here to speak for this man—he asked to go and have a pint of half-and-half—he did not tell me he was here as a witness—he asked what I did here—I said I had a little business—I did not tell him what about—he said it was a foolish piece of business altogether—I said, "I rather suspect what you are about"—he said, "Well, I certainly shall say what I know"—I said, "That you have a right to do"—I did not say, "If you come forward in favour of Barry, you will do him more harm than good;" nor say I should bring it home to him about a bedstead—I said, "Recollect what you are come about; if you are not particular in what you are saying, you will get yourself into trouble"—I cannot say what he was coming to say—I cautioned him, because I suspected him—I did not caution him not to come—he had not told me what he meant to say—he had given Barry once into custody for felony—he had not mentioned Barry—I said, "If I hear you give him a character, I shall mention what I know."

MR. BALLANTINE called

WILLIAM DAVIS. I live in Short's-gardens, Drury-lane. I was in company with the prisoner when Bryan came up with the boots, and before that the boots were offered me for sale—I had one in my hand, and then Bryan gave them to the prisoner, and told him to go with them—there were two more people there—one was a broker, named Hampstead—the police know him very well—there was no snatching of the boots.

COURT. Q. Did he take the boots away quietly? A. He told him to go with the boots, and he waited at the corner, and the man went to the

corner of Lumber-court with the boots—Bryan gave him the boots at the public-house door—he went away very gently.

JURY to DANIEL BRYAN. *Q.* How soon after you lost those boots was information given to the police? *A.* The same night, between nine and ten o'clock, this happened between seven and eight—I saw my master in the mean time, and told him who had ran away with them.

Prisoner. We had been together all the morning, and he gave me the boots to sell for him.

GUILTY.* Aged 25.—Confined Three Months.**

1871. **DANIEL AHEARN** was indicted for stealing, on the 30th of August, 1lb. weight of leather, value 2s. ; the goods of Charles Slinn, his master.

CHARLES SLINN. I am a boot-maker, and live in Chancery-lane. The prisoner was in my employ, from June to September last—I paid him what he earned—he took his work out of the shop—I was losing leather all that time, which attracted my attention—I tied up my leather in bundles, such as twelve pairs at a time, and if I had five or six pairs left, I tied them together again—the prisoner left me near about the end of September.

MICHAEL COUGHLAN. I am a shoemaker. I was in the prosecutor's employ—about the 29th of August, the prisoner went to the drawer in the prosecutor's shop, and took one pair of boot-fronts out, he put them up his coat, and took them up stairs where we both slept—there was a mark which he rubbed out with a piece of glass—I do not know what he did with the leather—the first pair of fronts he took he worked up.

Cross-examined by MR. PHILLIPS. *Q.* You of course told your master immediately? *A.* No, I did not—I was working in Mr. Slinn's employ—I would have told him the first day, but I was a deserter at the time and if I had told him I knew the consequences, he would have given me into custody—I did not say a word of this till the prisoner charged me with being a deserter—he made the first charge—I am a deserter, I took the Queen's money and ran away—it was about two years ago—I went by the name of Clark, which is my mother's name—that is the only name I ever went by, and that was because I was a deserter—I went by the name of Clark to Mr. Slinn, but by the name of Coughlan when I enlisted—I only received 1s. when I enlisted, and what money was coming to me for my pay—there was 10s. bounty money, which I got after I was sworn in—I left at Plymouth—I got leave and came away, and did not go back—I did not give notice to the regiment—I have been here two or three times before as a witness—I never charged any person with stealing—I cannot tell how long it is since I first came—it must be about two years ago—to the best of my knowledge I was here three times—I will not swear it was not five—I got 3s. 6d. a day, which was allowed by the County—I get 1s. 1d. a day as a soldier—I was in the 25th regiment—I cannot expect to get any thing this time, as I am a prisoner myself—I am bound over as a witness—they have kept me in jail.

THOMAS HOLLINGSWORTH (*City police-constable No. 199.*) On the 22nd of June, the prisoner and Coughlan were scuffling together on the pavement, and the prisoner gave Coughlan in charge as a deserter—I turned to him, and said, "Is that true?"—he said, "Yes, I am a deserter from the 25th regiment of foot"—I said, "You must come with me"—I took him to the

station-house, and then Coughlan charged him with felony—none of the property has been found. **NOT GUILTY.**

1872. JOHN CARLEN was indicted for feloniously forging and uttering acceptances to a bill of exchange for 3*l.* 12*s.*, and also a bill of exchange for 18*l.* 2*s.*, with intent to defraud Thomas Reginald Kemp; to which he pleaded

GUILTY. Aged 47.—Transported for Seven Years.

1873. SARAH JONES was indicted for stealing, on the 20th of June, 2 pairs of stockings, value 2*s.*; the goods of Sophia Brooks; to which she pleaded

GUILTY*. Aged 38.—Transported for Seven Years.

1874. HENRY SMITH was indicted for stealing, on the 7th of July, 1 looking-glass and frame, value 6*d.*; 1 sheet, value 9*d.*; 1 blanket, value 9*d.*; and 1 frying-pan, value 6*d.*; the goods of Lydia Clarke; to which he pleaded

GUILTY. Aged 27.—Confined Six Months.

1875. WILLIAM ROBINSON was indicted for stealing, on the 1st of July, 1 watch, value 4*l.*; and 1 watch-guard, value 3*d.*; the goods of Thomas Butcher his master; to which he pleaded

GUILTY. Aged 18.—Confined Three Months.

1876. JOHN EVANS was indicted for stealing, on the 17th of June, 1 quilt, value 5*s.*; 7 yards of carpet, value 10*s.*; 1 toast-rack, value 1*s.*; 2 pillows, value 7*s.*; 10 saucers, value 2*s.*; 6 cups, value 1*s.*; 1 salt cellar stand, value 2*s.*; 1 printed book, value 11*s.*; and 2 plates, value 1*s.*; the goods of Jane Wright: also on the 15th of April, 1 quilt, value 4*s.*; 1 pillow, value 3*s.*; 1 boltser, value 6*s.*; and 1 blanket, value 3*s.*; the goods of Rebecca Clarke: also on the 23rd of June, 1 bed, value 3*l.* 10*s.*; the goods of Jane Wright: to all of which he pleaded

GUILTY. Aged 77.—Transported for Seven Years.

OLD COURT.—*Thursday, July 9th, 1840.*

Second Jury, before Lord Chief Justice Denman.

1877. EDWARD OXFORD was indicted for that he, being a subject of our Lady the Queen, on the 10th of June, as a false traitor, maliciously and traitorously did compass, imagine, and intend to bring and put our said Lady the Queen to death; and to fulfil and bring to effect his treason and treasonable compassing, he, as such false traitor, maliciously and traitorously did shoot off and discharge a certain pistol, loaded with gunpowder and a bullet, which pistol he held in one of his hands, at the person of our said Lady the Queen, with intent thereby maliciously and traitorously to shoot, assassinate, and put to death, our said Lady the Queen, and thereby traitorously made a direct attempt against the life of our said Lady the Queen: And further to fulfil and bring to effect his treason and treasonable compassing aforesaid, he, as such false traitor, on the 10th of June, maliciously and traitorously did shoot off and discharge a certain other pistol loaded with gunpowder and a certain bullet, which he held in one of his hands, at the person of our said Lady the Queen, with intent thereby maliciously and traitorously to shoot, assassinate, and put

to death our said Lady the Queen, and thereby traitorously made a direct attempt against the life of our said Lady the Queen ; against his allegiance and against the Statute, &c.

The ATTORNEY-GENERAL, the SOLICITOR-GENERAL, SIR FREDERICK POLLOCK, MR. WIGHTMAN, MR. ADOLPHUS, and MR. GURNEY, conducted the Prosecution.

SAMUEL PERKS. I am a builder, I reside in London at the present time, and had done so one week before the 10th of June last. About six o'clock in the evening of the 10th of June I was standing by the column under the portico of the north wing of Buckingham Palace—I had gone there about half an hour before—I was standing waiting for the approach of the Queen—I saw her Majesty come out of the wooden gate of the north wing, (I believe it is called the garden-gate,) in a low open carriage, accompanied by Prince Albert—the carriage turned to the left, up Constitution-hill—there was a postilion and four horses—the top of the carriage about reached even with my forehead—I am not acquainted with the name of it—it was a low open one with four wheels—I was on the left-hand side of the carriage—there were no military in attendance on the carriage—there were four out-riders, two a little in advance, and the others a distance behind—there were no other attendants on the carriage, that I am aware of.

Q. Did you, on that day, see the prisoner any where? A. The first I saw of him was after the carriage came out—I turned short across the corner, up Constitution-hill, to get a second view of her Majesty, and then I saw Oxford—he was on the right side of the carriage, on the footpath next the iron-railing.

COURT. Q. He was on the off side of the carriage? A. Yes, on the right side.

MR. SOLICITOR-GENERAL. Q. How near were you to him when you first observed him? A. On the opposite side of the road, about the same distance as from here to the opposite wall of the Court—he was walking along very slowly, with his arms folded under his breast, and his coat buttoned—he was in advance of the carriage—the carriage moved on—the prisoner gave a nod with his head when the carriage came on; he turned round, and gave a nod with his head in the direction of the carriage—he was then about ten or twelve yards before the carriage—the carriage was moving towards him—as the carriage advanced he continued to move in the same direction—I observed him the moment the carriage passed—I was about a foot behind the carriage, and from the singular way he nodded with his head previous to the advance of the carriage, it attracted my attention—when the carriage had advanced, I ran in the direction of it, and the prisoner drew a pistol with his right hand from his left breast-pocket, presented it at *their* Majesties, and fired—I was just behind the carriage when he discharged the pistol—there was about one foot space between me and the carriage—I was within a foot of it—the prisoner was about five or six yards from the carriage when he discharged the pistol, and on the right side of it—the report of the pistol attracted my attention, and I had a distinct whizzing or buzzing before my eyes, between my face and the carriage—I was on the left side of the carriage, just at the back of her Majesty—the prisoner was on the right all the time—the moment he fired the pistol, he turned himself round, as if to see if any one was behind him; he then set himself back again, drew a second pistol with his left hand from his right breast, presented it across the one he had already fired, and

which he had in his right hand, and fired, at both times taking very deliberate aims.

Q. What distance was the carriage from Oxford when he discharged the second pistol? *A.* The carriage was then about three or four yards in advance of where he fired the first—after the second pistol was fired, the two witnesses named Lowe immediately ran, and Joshua Lowe seized hold of the prisoner—the Lowes were somewhere behind me when I first observed them—at the moment of the firing, Joshua Lowe ran towards the prisoner, caught hold of him by the two arms, and Albert Lowe caught hold of the two pistols and wrenched them from the hands of the prisoner—a man named Clayton came behind Albert Lowe, and seeing the pistols in his hands, thought he was the person who had committed the act, and said to him, “You confounded scoundrel,” I think were the words, and wrenched one of the pistols from Lowe, upon which the prisoner exclaimed, “It was me, I did it”—the carriage proceeded—we took the prisoner along the road, and delivered him into the hands of two policemen—the two Lowes and Clayton helped to take him—I held the back of the collar of his coat—a great many were about at the time.

COURT. *Q.* Where did you find a policeman? how far had you gone? *A.* I suppose about twenty yards; between twenty and thirty.

Cross-examined by MR. SIDNEY TAYLOR. *Q.* I think you say the prisoner was on the pathway? *A.* He was—the pathway is very little elevated from the carriage road—I suppose the footpath is about the height of the centre of the road—it is very little elevated above that part of the road next the footpath, it is nearly level—the channel is about six, or it may be eight inches deep—I do not think the footpath is a foot above that part of the road—I do not suppose the channel is more than eight inches.

MR. SOLICITOR-GENERAL. *Q.* Is there any channel or gutter by the side of the pathway? *A.* Yes, a slight one—there is an iron grating very near where it occurred—the descent of the pathway into that channel is about eight inches.

COURT. *Q.* It was an open carriage her Majesty was riding in—did her Majesty sit above the line of the carriage? *A.* Yes—I suppose the line of the carriage was about the centre of her back—the whole of that would be exposed to the sight of any body behind the carriage—her Majesty sat on the left side, and Prince Albert on the right—he was nearest to the prisoner—the top of my head was about level with the top of the back of the carriage.

Q. Then the whole carriage was between the prisoner and you when he fired the first shot? *A.* I was exactly a foot behind the carriage—the prisoner stood on the right, just opposite.

JOSHUA LOWE. I am a spectacle-maker—my place of business is in Copthall-court—my residence is in London-wall. I was in the Park on the evening of the 10th of June—my attention was attracted by the cortege of the Queen and the carriage her Majesty was in—I saw her Majesty sitting in the carriage on the left-side—Prince Albert was on the right—I was running by the side of the carriage on the left side, the wall side, the side on which the Queen sat, and heard the report of fire-arms—I was then about three yards from the carriage I should think.

Q. Were you in advance of it, or behind, or what? *A.* At the side, exactly at the side of the carriage—the noise attracted my attention in that direction, and I saw the smoke ascend—the carriage passed on a short

distance, and then I saw the prisoner with a pistol in his right hand—his right arm dropped—he turned round as if to see if any body was at his elbow, and to me it appeared that he pointed the second pistol across his right hand—he fired it towards the carriage.

Q. How long had he the pistol in that direction before he fired it? A. Not an instant—my nephew was with me—I immediately ran across and seized the prisoner—my nephew seized the pistols—some one came up I believe and took a pistol out of my nephew's hand at the time, and collared my nephew, upon which the prisoner said, "It was I, it was me that did it"—I had at the time he said that, got hold of him by the collar and his arm—we walked about twenty yards, and the policemen came up, and going along the road towards the station-house, after the policemen had come up, I said to my nephew, "Look out, Albert, I dare say he has some friends"—the prisoner turned round, and said, "You are right, I have"—I kept hold of him till we got down to Gardener's-lane station-house, and then he was taken into the station-house by the policemen—myself and two or three more had hold of him at the time—I never let go.

Cross-examined by MR. BODKIN. Q. Did you see the Queen's carriage leave the palace? A. I did—I should think it had got about a hundred and fifty yards, or it might be a little more, up Constitution-hill, before this occurred—the road is wider there—the carriage was going slowly—I had seen her Majesty when the carriage left the palace and followed it for the purpose of seeing her again—I did not notice whether a good many other persons did the same—there was a general rush—I was on the left-hand side—the garden wall of the palace is on that side—it is not very high, about eight feet, or more than that—I did not notice it particularly—it is a wall of considerable height—it is a brick wall—the footpath is on the other side of the road, and a very little channel divides the footpath from the road—when I saw the prisoner he was standing on the footpath—I think the footpath is about six inches higher than the road, but the centre of the road is about level—the Queen's carriage was more in the centre of the road—I believe there is a footpath on both sides of the road—I think the carriage was in the centre as near as possible.

Q. About what distance do you judge the prisoner to have stood from the carriage at the time you saw the smoke? A. About three yards—the carriage was quite open, and was going at a slow pace—that three yards would be shortened I think about three quarters of a yard by stretching out his arm.

Q. Then the muzzle of the pistol would be within little more than two yards of the carriage? A. I should say so—he appeared to take a deliberate aim—when I saw him fire he was about a yard from the railing which encloses the Green Park—the nearest gate by which any one could enter the Green Park was about one hundred and fifty yards from where this happened—the railing is quite open.

Q. So as to afford an opportunity for a person to fire from the park side if he had chosen? A. If he had chosen—I did not observe what attendants her Majesty had—there were outriders, I think before as well as behind—I did not see the witness Perks till after the occurrence—I was on a slow run when I heard the discharge of the first pistol—I did not observe several persons running or walking on the same side of the carriage as me—I have no doubt there were persons about, but I did not see them—at the time my nephew was seized I had hold of the prisoner on

the pathway up against the railing—I had hold of him before he said, “It is I”—he appeared desirous that it should be known he was the person who did it—we had got a short distance from where this occurred, when I told my nephew to be cautious, for probably he had friends.

Q. Either when the prisoner said, “Yes, I have friends,” or at any other time in the transaction, did you see any persons whatever in his company? A. Not in his company—there were plenty had got hold of him—I had an idea at the time that the witness Clayton was with him.

COURT. Q. Can you give any notion what distance of time there was between the firing of the two pistols. A. Merely to turn round and to place his hand—the carriage was moving on—I suppose at the last firing the carriage was about eight yards in advance of him—he fired the second pistol up the road, after the carriage—there were a few persons in front of the carriage.

ALBERT LOWE. I am the nephew of Joshua Lowe. On the 10th of June I was with my uncle on Constitution-hill in the Park—I saw her Majesty come in her carriage from the palace—I followed the carriage up the road and had not proceeded far before I heard the report of a pistol—my uncle and I were running by the side of each other—I did not know from whence the sound proceeded, but turning my head round I saw the prisoner holding a pistol in the direction of the carriage, and he fired—that was the second pistol—I thought he held it in his right hand—upon his firing the second pistol my uncle ran across the road with me—my uncle seized him, and I took both pistols from the prisoner—a man came up, caught hold of me, and said, “You confounded rascal, it was you”—I had then the pistols in my hands—the man took one pistol from my hand the prisoner then cried out, “I did it,” or “It was me that did it”—something to that effect—we were going to take him to the station-house, and the police came up—as we were going along, my uncle told me to look out, for he thought he had some friends about him—he turned his head round and said, “You are right, I have”—I delivered the pistol up which Clayton did not take from me, to the police—I do not know whether it was the one I saw fired.

Q. Can you tell how far the carriage had proceeded from Buckingham Palace when the first shot was fired? A. I thought about thirty yards, at first, but I have since been to see the place, and it is about 100—I did not see the prisoner fire the first pistol, but when he fired the last he was about five yards from the carriage, I should think.

ELIZABETH STOKELY. I am housekeeper to Lord Bexley. I was on Constitution-hill, on Wednesday the 10th of June, going from the palace—I was on the side next the wall—I did not see the Queen’s face—I saw her carriage—my attention was first attracted by seeing the carriage approach—I turned round on seeing it approach, and saw the prisoner walking in this position—(with his arms crossed over his breast)—he was walking by the railing, on the opposite side to me, nearly opposite—immediately on the carriage approaching I saw him draw his hand, and present, and then fire—I was not so near to the carriage then as I was afterwards—it came on a few paces before the second fire—when he fired the first pistol I saw him change his hands, and immediately present the second pistol, and fire it.

Q. In what direction did it appear to you that he presented the pistol? A. Immediately opposite where the Queen was sitting—the flush of the

pistol came almost immediately over the Queen's head—the Queen was crouching—she rather crouched, and the Prince stood—I think, to the best of my knowledge, the Queen first rose, and by what I observed, the Prince rather pressed her down; and it was immediately before the second pistol was fired that her Majesty crouched—it was the second flash which appeared to come over the Queen's head, and it came close past me; the flash did—it seemed something that whizzed past my ear, as I stood; it seemed like something quick passing my ear, but what I could not say—at the time the second pistol was fired I was very near to the Queen's carriage—I was as close to the edge of the pavement as I could be, and the Queen's carriage was coming along the centre of the road—I was near as could be, within a yard of the carriage.

COURT. Q. All this was at the second firing? A. Yes.

MR. WIGHTMAN. Q. When the second pistol was fired, what did you see the prisoner do? A. I saw him drop his hands, and stand—a gentleman rode up on horseback—the carriage drove off a few paces, then stopped, and the gentleman rode up to the carriage and spoke—the prisoner was surrounded, and I saw no more.

COURT. Q. Where was the prisoner standing at the time the second pistol was fired? A. He was standing very near the carriage—he was on the opposite side of the carriage to me, on the railing side—the second pistol was fired across the road—he was facing the carriage, and backed to get his aim—he was more behind the carriage when he fired the second pistol.

Cross-examined by MR. SIDNEY TAYLOR. Q. Was there any person near you at the time? A. A little girl—from the time I saw this my attention was so fixed upon it that I saw nothing else—I had not seen several persons about the carriage just before—I did not notice them—I saw the prisoner drawing the pistol, and my attention was fixed upon that—the first thing, when I turned round, was the prisoner drawing his hand out with the pistol—I could not see how far in the rear of the carriage he was when the second pistol was fired—he was by the carriage—he was standing by the railing—perhaps he might be two yards in the rear of the carriage when he fired the second pistol—I observed a wall there—I saw the second pistol pointed—I should say it was pointed right across towards the wall—I cannot tell how the first pistol was pointed—I did not take notice of the height of that wall—my back was towards it—I cannot say how far I was from the wall—I was as far as could be—I was near the road—I cannot say how far that is from the wall—there are several trees about there—they are rather thick before the footpath on the left side of the wall—I could see the wall through the stems of the trees.

MR. WIGHTMAN. Q. You say the flash appeared to pass over the Queen's head and before your eyes? A. No, not before my eyes—it came just over the head of the carriage, and whizzed past my ear.

Q. What do you mean by the flash? A. The light and the smoke—I cannot explain what it was that whizzed by my ear—it was my right ear.

WILLIAM CLAYTON. I am a cabinet-maker, and live in Princes-street, Leicester-square. I was on Constitution-hill on the evening of the 10th of June—when the Queen's carriage approached I was standing about 200 yards from the marble arch of the palace, on the side where the wall is, the garden side—I heard a pistol fired—the car-

riage was then about twenty-eight yards from me, or it might be thirty, nearer to the palace than I was—I was in company with my brother, and on hearing the report I said, “Good G—d, *Jack*,” and instantly ran off towards the spot—I crossed the road, and ran down to where I heard the report—when I came abreast of the horses I heard a second report—I was in the act of crossing the road when I heard the second report—I ran on, I never ceased—the horses stopped, and her Majesty arose in the carriage, and looked round, with no fear on her countenance neither—her Majesty’s back was towards the palace—I was crying out, “Where are they who did it?”—I ran on and could not see how long her Majesty’s carriage stopped—I did not see it go—I passed the carriage, and ran on to the spot where I saw the smoke—I saw two persons, one with his back to the railing, on the park side—I inquired, “Where are they who did it?”—a female said, “That is the man who did it”—she pointed to the two, but I judged it to be the man standing with his back to the railing, which was Albert Lowe—I said, “You confounded rascal, how dare you shoot at our Queen?”—the prisoner heard me say so—he was nearer to me than Albert Lowe was—I spoke in a loud voice—the prisoner said, “I did it; I give myself up; I will go quietly”—I took hold of his coat—the mob rushed in, and seized me, and knocked the pistol out of my hand on the ground—I stooped down to pick it up, expecting to resume my hold, when I was seized right and left, back and before, was kicked and torn, and my shirt-collar out, and was taken into custody—the police took me to the station-house, where I was locked up in a cell and searched—when I was brought from the cell I saw the prisoner in the inspector’s office—I asked for a draught of cold water; what with the struggling and the dust that was created, I felt a great wish for a drop of cold water—the prisoner said, “And I should like a drop of cold water”—I was walking up and down, and in passing him, he turned round and said, “Is the Queen hurt?”—he turned his head towards me, and said so—I said to him, “What did you put in the barrels?”—he said, “I have answered a dozen questions; there have been a dozen persons asking me questions, and I shall answer no more.”

Q. Do you know what became of the pistols that were taken from him?

A. There was a pistol lying on the table, one was brought in by the policeman, that was locked up with me in the cell—I took hold of that pistol which was lying on the table, saying, “I have put my little finger into the muzzle of the barrel, and have wiped out the powder, and is there any here?”—I asked myself that question—I put my finger into both pistols, but the one I first put my finger into I marked—that pistol came from the hands of Albert Lowe—I took it from him—it was not taken from me when I was knocked down—it came on the ground, but I picked it up, and resumed my hold again—one part of the time the policeman had it, and at another time I had it, but it never went out of my sight till I had marked it—the police made their appearance, I should judge two minutes after the first shot—I had got the pistol before the police came—I can say that the pistol I marked was one of the pistols taken from the prisoner—it was in the hands of both the prisoner and Albert Lowe—this is the pistol—(looking at one)—there is a mark on the barrel.

COURT. Q. How far is the place where you seized Albert Lowe and the prisoner from the carriage? A. Fifteen or eighteen yards from where the carriage stopped—the second pistol was fired when I was abreast of the

horses—the carriage drew across the road immediately on the second pistol being fired—the pulling up of horses, going at the rate of six or eight miles an hour, would take six or seven yards—I should say the second pistol was fired the distance of full eight or ten yards from the carriage.

CHARLES BROWN. I am a policeman. On the afternoon of the 10th of June, I was on duty at Buckingham-palace. About six o'clock I was sent on an errand to the south wing—I saw the Queen's carriage going up Constitution-hill—I was in front of the steps at the south wing—shortly after I saw the Queen's carriage I heard a shot fired—I immediately ran towards where the sound proceeded from—it appeared to me to proceed from Constitution-hill—as I went towards the spot I met a gentleman on horseback, who spoke to me—my attention was attracted by a mob of people, who had hold of a person—before that a second shot had been fired—it was after I heard the second shot that the gentleman on horseback spoke to me—I was going towards the carriage when I heard the second shot—I observed a mob of people having hold of the prisoner—the two Lowes had hold of him, and several others besides—on my coming up, several voices (I do not know whether it was the Lowes) said, "This is the man," and I laid hold of him—nothing more was said by the persons present—the prisoner said, "You have no occasion to use violence, I am the person, I will go quietly"—I had merely laid hold of his collar and his left arm when he said that—I proceeded with him to the station-house—shortly afterwards some person remarked, "Perhaps there might be more of them"—the prisoner replied, "I have friends"—Smith, a policeman, came up, we went in front of the Wellington-barracks, and as we got opposite the barracks some person said, "I wonder whether there was any balls in the pistols, or no"—the prisoner made answer, "If the ball had come in contact with your head, if it was between the carriage, you would have known it"—I took him to the station-house, and he was searched by me and another constable—the other constable took from him, in my presence, a key, a knife, and 2s. 6d. in silver—I have the key—I found a piece of wadding in his trowsers' pocket—I looked at it, and saw the mark of the hammer on one side and the cap on the other—I asked him what it was for—he said, "To prevent the pistol going off," as he did not wish to hurt himself—it would prevent the pistol going off, by putting it between the hammer and the cap—it had been so used—he also said, if I was to go up to the Park, where it occurred, I should find the other piece of wadding—while I was in the inspector's room different gentlemen came into the room—a question was put, (I cannot say whether it was to the prisoner,) whether there were any balls in the pistols—the prisoner said there were balls in the pistols—next day I made search in the garden, on the other side of the wall, but was not able to find any thing. †

Cross-examined by MR. SIDNEY TAYLOR. Q. Now when the question was put, as to whether there was any ball in the pistols, how many policemen were in the room? A. I cannot say—I do not think there was any body but the inspector and myself—there were a number of gentlemen there.

Q. Had various persons been asking the prisoner questions? A. Not asking the prisoner questions, but asking one another, as they came in.

Q. Do you mean to say, that questions were not put to the prisoner himself? A. Not by the parties while I was there—I did not hear any one put questions to him except the inspector—he asked him questions

—he asked his name and where he came from—I believe he asked him something about the pistols.

Q. Is it the practice of the police, to whom you belong, to interrogate prisoners as to the fact of any crime with which they are charged? *A.* I believe not—the inspector merely asked him where he came from—he was not interrogated by the inspector, in my presence, as to whether there were balls in the pistols—he asked where he got the pistols from—the question about the balls was not put to the prisoner, but the gentlemen asked whether the pistols were loaded with ball—the prisoner was not asked the question, he was in custody at the time.

Q. You say he stated there were balls in the pistols; what were his words? *A.* As near as I can recollect, his words were, “The pistols were loaded.”

Q. He did not say there were balls in them, but the pistols were loaded? *A.* “There were balls in the pistols.”

Q. “The pistols were loaded,” were those his words? *A.* No, not exactly—he distinctly said there were balls in the pistols.

Q. He said they were loaded, were those his words? *A.* “The pistols were loaded with balls,” those were the words, as near as I can judge—I will not swear to the exact words—I cannot tell the exact height of the wall of the garden—I should say it was eighteen or twenty feet high—I searched in the garden—I made a very minute search—not all over it—within about 100 yards in length, and about twenty-five in breadth—what I should suppose to be the range of the pistol-ball—I did not find any—I searched on the other side of the wall for a short time—about two hours after the firing—the police-sergeant and three or four men were there when I searched—I assisted in the search for a short time—I stopped there for about a quarter of an hour.

Q. What mode of searching was used? *A.* We kept moving over it with our hands, and then swept it with a broom—that search extended about twenty-five yards in length, and five or six yards in width—there was no ball found in the dust while I was there—I did not see all the dust sifted—it was taken down to the Palace, and sifted there—I saw it brought down to be sifted—I did not make any further search—there are several trees about there—I was not examined before the Privy Council, and have not stated any thing before the Privy Council as to balls in the pistols.

Q. Had you told any body before the examination by the Privy Council, that you had heard the prisoner state the pistols were loaded with ball? *A.* Yes, I told Mr. Maule, the solicitor.

COURT. *Q.* How many people were there in the room at the time he said there were balls in the pistols? *A.* From ten to twelve persons—he said it out loud—he was in my custody at the time, in one corner of the room—I should think he said it loud enough for other people to hear as well as me—the people were talking as to whether there were balls, one said, “I wonder whether there was one,” and he said, “There was.”

CHARLES SMITH. I am a policeman. I was on duty on the 10th of June, at Buckingham-palace—I remember the Queen coming out—shortly after the Queen came out, I heard a noise, which attracted my attention—it proceeded from the direction of Constitution-hill—I did not proceed towards the spot from whence the sound came, till I heard a second report—it was like the report of fire-arms—I then proceeded to the spot, and saw the prisoner there, in the custody of Charles Brown—Lowe had hold of

him—I saw a pistol in young Lowe's hand—I proceeded towards the station-house with the prisoner—going along, I asked where the pistols were—as we were going in front of the palace, young Lowe pulled one from his bosom, and said, “Here is the pistol”—I said, “Take care of it”—some one in the crowd asked if the pistols were loaded with ball—the prisoner made answer, “If your head had come in contact with the ball, you would have found there was a ball in the pistol.”

Cross-examined by MR. BODKIN. Q. Was not the phrase, “if your head had been at the head of the pistol, you would have known whether it was loaded or not?” A. It was not—somebody in the crowd asked if the pistols were loaded with balls—the answer was, “If your head had come in contact with the balls, you would have found there was ball in the pistol”—those were the very words—Brown was there—I have no doubt he heard it.

WILLIAM SMITH. I am a policeman. I was in the Green-park on the 10th of June, in the middle of the Park—it is separated from Constitution-hill by a railing—my attention was directed to the carriage as the Queen was passing—I heard the report of a pistol, and saw the smoke of it—I hastened to the spot, and saw a number of people running in that direction, and I saw the prisoner present a pistol, and fire it towards her Majesty's carriage—I was fifty or sixty yards from the carriage at the time the second pistol was fired—I ran, and got over the railing—they are iron palisades, about five feet high, or more, with spikes at the top—I had some difficulty in getting over—I hurt my hand in getting over—the prisoner was then in custody—the witness Clayton had a pistol in his possession at the time, and I took him into custody, to the station-house—I took the pistol away from him—he was put into the cell, and was there about five minutes—I then commenced searching him—inspector Baites came in, and commenced searching him—he took out his card, and gave it to the inspector—I then gave the pistol into his hand to mark, and he gave it into the hands of the inspector.

Cross-examined by MR. SIDNEY TAYLOR. Q. When your attention was directed towards the carriage, did you see any out-riders? A. Yes—I did not notice where they were—whether before or behind, or on one side the carriage—I have been in the police almost twelve months—there were not many people near the carriage when my attention was directed to it, but afterwards there were—I cannot tell how many there were at first—people were scattered about on Constitution-hill—the people were very anxious to get a sight of the Queen—there were not so very many there at first—I cannot give any idea about how many there were—I saw the prisoner present the second pistol, and fire it—he was ten or twelve yards from the carriage when he fired it; on the right side of the carriage—the pistol was presented in a slant direction towards the top of Constitution-hill—I did not search afterwards for the bullet.

FREDERICK GARRETT. I am in the employ of Mr. William Hayes, who is a general salesman; he has two shops, in Blackfriars-road, where I attend as shopman. I remember the rumour of the Queen having been fired at—about three weeks or a month before—that I saw the prisoner at our shop in Blackfriars-road—he bought a pair of pistols and a powder-flask of me—(looking at the pistols)—these are the sort of pistols Mr. Hayes was in the habit of keeping—this has Mr. Hayes's private mark on it—we had such pistols as that recently arrived—these are the pistols that

were parted with to the prisoner—I asked him two guineas for them ; they were marked two guineas—he said he wanted to know what distance they would carry—I said, about twenty or thirty yards—he said, if I would take two sovereigns he would have them—I said, if he would not give more I must take it—he then asked about a powder-flask—I believe I took one from outside the shop—he gave me two shillings for that—I also gave him two bags to put the pistols in—these are the bags—(*looking at them*)—I know them again—this is the powder-flask—(*produced*)—I had never seen him before that day, to my knowledge—he was about ten minutes bargaining for and paying for the pistols—I had such observation of him as to be quite sure of him when I saw him again—I knew the pistol-bags and powder-flask again when they were produced—they were brought to me about three days after the Queen was shot at, and I knew them again immediately.

Cross-examined by MR. BODKIN. Q. You do not tell us the exact day this bargaining took place? A. I entered it on the slate when they were bought, and Mr. Hayes took it off the slate and entered it in the book—no one was present in the shop besides myself—I think it was before one o'clock in the day—the prisoner was alone.

MR. ADOLPHUS. Q. When you serve in that shop your master is at the other? A. Yes.

WILLIAM SAMPSON HAYES. I keep a shop in Blackfriars-road, where fire-arms are sold ; I have also another shop. I keep a day-book—I have not got it here—I had no order to produce it—I remember hearing of the Queen being fired at—I heard of it the same day—I do not know how long before that it was that I made the entry in the day-book—it was before that—(*looking at the pistols*)—here is my private mark on these pistols—I take the entries which I put in my book off the slate—they are entered by the young man on the slate, and next morning I copy from the slate into the book—that is my usual course—I remember an entry being made on the slate of a pair of pistols—that was on Monday, the 4th of May.

JOHN JOSEPH GRAY. My father keeps a shop at No. 10, Bridge-road, Lambeth ; I assist him in his business ; I am the principal there ; we sell, among other things, caps for pistols. I remember the prisoner calling at our shop on either Tuesday or Wednesday, the 3rd of June last—he brought half a hundred caps of me—he asked if I kept bullets—I told him no, but recommended him to a gunsmith in the Borough—he wanted to know if I had any small canisters of gunpowder—I had, and I showed him our half-pound canisters—he said they were not small enough, he wanted a small canister, he should like a quarter of a pound, if he could—he tried four or five of the caps while he was with me—he only showed me one pistol, but I believe he had a pair with him—I found some caps that fitted it—I had known the prisoner some years back, in the same road where I am living now—I had been to school with him, but for how long I cannot say—to the best of my recollection it was eight or nine years ago—when he came into the shop I feigned not to know him—he asked me if my name was not John Gray—I told him it was—“Well,” he said, “don’t you remember any one of the name of Oxford?”—I said, “Yes, I certainly do, I went to school with a person of that name”—he said, “Well, I am the same”—I asked him what he had been doing with himself—he said he had then lately come from Birmingham, but he had been in the public line.

COURT. Q. How long were you at school with him? *A.* I cannot say; I did think I was at school with him for about a twelvemonth, but my schoolmaster came forward and proved he was only there five weeks; I might have been mistaken by his once being a neighbour—I cannot say how long I have known him, it is so many years ago, it is impossible for me to say, I was very young at the time—I lived about twenty houses on the opposite side of the way to him, in Westminster-bridge-road; he lived about twenty houses lower down, nearer the Marsh-gate.

Q. You say you feigned not to know him when he came in; what was your reason for that? *A.* I did not wish to make up the acquaintance again with him—I did not observe any thing odd in his appearance, not the least.

SIR HENRY WHEATLEY. I am keeper of her Majesty's privy-purse. When I heard of her Majesty being fired at, I went to the station-house where the prisoner was in custody—I saw him in the cell—he came forward when the door was opened, and asked me, "Is the Queen hurt?"—those were the first words that were spoken—Lord Uxbridge was with me—some conversation ensued—we asked him in what situation he was—he stated he was a bar-boy, and had been out of place about ten days—I do not recollect that he said any thing about a pistol, or about the shooting—he said he had come into the park at four o'clock, and had seen the Prince come from Woolwich, at least, he supposed it was from Woolwich.

COURT. Q. That was between six and seven o'clock? *A.* About half-past six.

THE EARL OF UXBRIDGE. On the 10th of June I saw the prisoner—from the opening of the cell-door, where I found him, he addressed me by saying, "Is the Queen hurt?"—I said, "How dare you ask such a question?"—he said he had been in a public-house in Oxford-street for about four months, and had left it about a fortnight—he said he had been shooting a great deal lately—a very good shot with a pistol, but a better shot with a rifle—he said the pistols had been given to him on the 3rd of May, and something else also, which he went on to inform us was money, and he could have as much of it as he pleased—I then said to him, "You have now fulfilled your engagement"—he replied, "No, I have not"—I said, "You have, sir, as far as the attempt goes"—to that he was silent.

Cross-examined by MR. BODKIN. Q. Did Sir Henry Wheatley remain with you during this conversation? *A.* During the first part, but he retired into the office—I went to the station-house immediately on hearing of the occurrence—there were one or two policemen there—it is a very narrow passage—I think Sir Thomas Freemantle came in, and a gentleman, who I afterwards heard was Mr. Thistle—no question had been put to the prisoner before he asked whether her Majesty was hurt—what followed was in answer to questions generally put by myself—he was probably not aware that I was an officer in the Queen's household—I did not mention who I was, nor did Sir Henry Wheatley in my hearing—there was no reluctance whatever to answer the questions which I put to him.

SAMUEL TAYLOR. I am acquainted with the prisoner—I have known him about twelve months—I recollect the rumour of the Queen being fired at—I saw the prisoner the evening before that—he showed me a pistol, and said he had been firing at a target—he did not say when or where he had been firing at it—he showed me nothing except the pistol—I asked whether it was loaded—he replied that it was loaded.

THOMAS GREENWOOD LAWRENCE. I live in Victoria-street, White Conduit-fields, and am a perfumer, in the employ of Delacroix, of Bond-street. I know a public-house in Oxford-street, called the Hog in the Pound—it is at the corner of South Molton-street—I know the prisoner—he was barman to Mr. Robinson, the proprietor of that public-house, when I first knew him—it might be about February when I first knew him as barman there—on Easter Sunday I went with him and one Roach to Hyde-park, about four o'clock in the afternoon, from four to half-past five—at Hyde-park-corner I said to the prisoner, “I suppose the people are looking for the Queen”—he replied, “They will be disappointed, as she is at Windsor”—we got back to the Hog in the Pound about half-past five o'clock—Roach and Curling were in company with us—I believe the prisoner quitted the Hog in the Pound about the 1st of May—I have frequented that house for the last two years, up to the present time—one evening, after he had left the service, he was in the parlour there, and he said he had lost a half-sovereign on a bet respecting the shot at the bull's eye, at the Shooting-gallery in Leicester-square—he showed me a flattened ball—I heard a person named Roach remark that he was more fit to shoot at a hay-stack than at a target.

THE HONOURABLE JOHN OLIVER MURRAY. I am brother to Lord Eli-bank. I was on Constitution-hill on Wednesday afternoon, the 10th of June, on horseback—when the first pistol was fired the prisoner was close to me, as near as he is now, or very little further—after the report of the first shot my horse plunged up into the air, being a very high-spirited animal—I saw the prisoner put his hand into his breast, draw out a second pistol, and take a most deliberate aim, in the direction of the Queen's phaeton, which was about fifteen or twenty yards from where I was—as soon as I got any power over my horse I tried to prevent his firing the second shot—when he did fire it I was as near to him as I am now—he stood with his back to the railing, with a smile—some persons came over the Park, and down Constitution-hill, and seized him—he did not offer the slightest resistance—I immediately afterwards looked at the wall—I was the first person that went to the wall—I noticed a mark which I supposed to be the mark of the bullet—it was a white mark on the dark wall, as large as the palm of my hand—at that time Colonel Fox came up—I pointed it out to him, and to Lord Belfast also—the mark was about five feet from the ground, and rather in a slanting direction from where the prisoner stood.

Q. Did it appear to you such a mark as a bullet would have made? A. I have not the slightest doubt of it, in my own mind.

Cross-examined by MR. BODKIN. Q. Did you not observe any other mark on the wall? A. There was a kind of angular mark on the wall, but a very old one—it was near this mark—I took notice of that to mark the spot.

Q. Have the goodness to describe what kind of mark this was. A. The wall was dark—it was a white round mark upon that wall, as a bullet would make—it was much larger than a bullet—it was as if a piece of the brick was knocked out by the force of the ball, or whatever made the mark—I looked about on the ground for the bullet before any one came, but found none, but being fired in a slanting direction it might—

Q. Did you find any piece of brick? A. I did not look for any—I was looking about the ground for the bullet.

MR. ATTORNEY-GENERAL. Q. I do not know whether you have been

accustomed to see marks made on a wall by the firing a bullet against it ? *A.* I have, frequently—the first shot was fired in a slanting direction, the second shot was almost before me—the carriage never stopped—it went on up Constitution-hill, in the direction of Grosvenor-place.

COURT. *Q.* Was the place on the wall as big as the palm of your hand ? *A.* I think nearly as large—that would be nearly the whole flattening of the bullet—the ball would be a perfectly flat surface if it made so large a mark as that—I should say the piece of brick was broken by the force of the bullet on the wall.

THE HONOURABLE WILLIAM OWEN STANLEY. I was in the Park on the 10th of June last—I was coming straight down in the direction where the shot was fired, from the reservoir at the top of the Park—it might be about two hundred yards from the spot—my attention was called by hearing the report of one pistol first, and a few seconds afterwards a second—as soon as I came down to the rails I tried to get over, but could not for the spikes—I then asked what had happened, and asked the bystanders whether there were any marks on the wall—I got to the wall about ten minutes afterwards—I have tried since, and it took me about seven minutes to walk round—I have had frequent experience in the mark that a ball would make going against a wall—I saw a mark which in my opinion was decidedly such as might have been made by a bullet—I have not the pleasure of knowing Mr. Murray.

Cross-examined by MR. SIDNEY TAYLOR. *Q.* Have the goodness to describe what sort of mark this was ? *A.* It was rather longer than wide—it appeared to me that the bullet had struck there—I could see the part where the bullet had struck, and a chipped brick, which had broken off about an inch and a half—where the bullet struck it appeared to be circular—I examined other parts of the wall, and there appeared to me to be another mark about fourteen yards from that, not quite a similar mark, it appeared to me to be fresh, and such a mark as might have been caused by a bullet—I examined about twenty yards on either side, but could find no other mark.

Q. After you had seen these two marks on the wall, did you examine whether there were any bullets underneath the places where the marks were ? *A.* It would have been no use—I did examine, I looked down on the ground close to the marks, but found no bullet there—there were three little chimney-sweepers there—Sir John Eustace was with me—he examined also—he walked round with me, and there was an old artillery man there—he examined—he found no bullet—he agreed with me.

Q. The artillery man, you, and Sir John Eustace searched for the bullet, and found none ? *A.* I cannot say that I did search for the bullet, for being in an angular direction, the bullet would have glanced off—I looked down, but no more—I was looking down for a few seconds by each mark—I looked down to see if the brick that had chipped off had dropped below—I did not look to see if there was a bullet, because I did not think it likely—I did not see any policeman there at the time—some came up before I left—they did not search—I did not speak to them—it was no use—they did not search while I was there, to my knowledge—the wall is, I suppose, fourteen or fifteen feet high there—I did not search in the garden.

SIR FREDERICK POLLOCK. *Q.* Could you form any judgment in what manner the bullet would be likely to strike the wall ? *A.* Yes—it appeared to me to have been an angular strike—the moment I came up I

asked what had happened, and in consequence of what I heard I did not look for the ball in the immediate neighbourhood.

COURT. Q. In your opinion decidedly the mark in the wall was produced by what? A. I have no doubt whatever in my own mind that it was produced by a bullet fired from a pistol.

JOHN WILLIAM LINTON. I live with my father in the Waterloo-road. I am a playmate of the prisoner's—I was never at school with him—I remember hearing of the Queen having been shot at—on the Monday previous to that the prisoner called on me—about a month before that I had been to the Strand with him—I cannot remember our conversation when he called on me then—he asked me to go with him to the Shooting-gallery in the Strand—he showed me some pistols—he did not show me the pistols the first time he called to ask me to go—he called one day to ask me to go, and I went with him the next day—he showed me the pistols the day we went to the gallery—they were very handsome pistols—they were carved on the stock—I did not notice how they were mounted—he said a friend had lent them to him—(*looking at the pistols produced*)—I almost think these are the pistols, but I could not swear to them—to the best of my knowledge they are—I went to the Shooting-gallery in the Strand with him—he there shot at the target—he had half a dozen shots—the people at the gallery provide the ball—when he called on me the Monday before the Queen was shot at, he showed me the pistols—they were the same I had seen before—he said he had been at a much better Shooting-gallery than the one we first went to—he did not say where it was—I understood it was over the water—I mean over the Thames—we were then in the Waterloo-road, and he meant over the water, on the Westminster side of the Thames.

COURT. Q. Where were you when the conversation took place? A. At my own home in the Waterloo-road, over the river—I understood him to mean on the Westminster side.

SARAH PACKMAN. I keep the house No. 6, West-place, West-square. The prisoner lodged at my house, and had done so I think six or seven weeks before the Queen was shot at—his mother had been there about three months—his mother took the lodging—she was there the whole of the time except when she was at Birmingham—she went to Birmingham full a month before the Queen was fired at—after she went the prisoner remained in the lodging—his room was the front room one pair—the night the Queen was fired at, some police-officers came to my house, and took a box away from the prisoner's room.

SAMUEL HUGHES. I am an inspector of the Metropolitan police. On Wednesday, the 10th of June, I went to No. 6, West-place, West-square, about a quarter to eight o'clock in the evening—I went into the front-room one pair—it was open—I found this box there—(*producing it*)—it was locked—I opened it with a chisel and hammer—I afterwards tried this key to it, and it fitted it—I found in it this sword and scabbard, four books, a black crape cap with two red bows, a powder-flask containing about three ounces of gunpowder, a razor, a bullet-mould, two pistol-bags, a memorandum-book containing four papers, I also found five bullets, and twelve or fourteen percussion-caps—(*producing the articles*)—the bullets that were cast by that mould fitted the pistols—I cast one, and tried it, and it fitted the pistol—the bullets that I found loose would roll into the pistols, but they were rather smaller, and did not appear to be cast in that mould—I took the box and the articles to the station-house—I showed them to the prisoner—he

said the box was his, and the things that were in it—he saw the pocket-book and the papers—he said those were his also—he said he intended to have destroyed them in the morning before he went out, but he had forgotten them—the papers were folded up in the pocket-book as they are now—they were not pinned together—the three letters were folded up as letters—the foolscap paper was folded up in that form.

The following papers were here put in and read :—

YOUNG ENGLAND.

RULES AND REGULATIONS.

“ 1. That every member shall be provided with a brace of pistols, a sword, a rifle, and a dagger ; the two latter to be kept at the Committee-room.

“ 2. That every member must on entering, take the oath of allegiance, to be true to the cause he has joined.

“ 3. That every member must, on entering the house, give a signal to the sentry.

“ 4. That every officer shall have a *factitious* name ; his right name and address to be kept with the secretary.

“ 5. That every member shall, when he is ordered to meet, be armed with a brace of pistols, (loaded ;) and a sword, to repel any attack ; and also be provided with a black crape cap, to cover his face, with his marks of distinction outside.

“ 6. That, whenever any member wishes to introduce any new member, he must give satisfactory accounts of him to their superiors, and from thence to the council.

“ 7. Any member who can procure an hundred men, shall be promoted to the rank of captain.

“ 8. Any member holding communications with any country agents, must instantly forward the intelligence to the secretary.

“ 9. That whenever any member is ordered down the country, or abroad, he must take various disguises with him, as the labourer, the mechanic, and the gentleman ; all of which he can obtain at the committee-room.

“ 10. That any member wishing to absent himself for more than one month, must obtain leave from the commander-in-chief.

“ 11. That no member will be allowed to speak during any debate, nor allowed to ask more than two questions.

“ All the printed rules kept at the committee-room.”

“ List of principal members.—*Factitious* Names.

President.—GOWRIE.

Council.

JUSTINIAN	ERNEST
ALOWAN	AUGUSTIA
COLOMAN	ETHELRED
KENNETH	FERDINAND
GODFREY	NICHOLAS
HANIBAL	GREGORY.

Generals.

FREDENI	OTHOE
AUGUSTUS	ANTHONY.

Captains.

OXONIAN	LOUIS
MILDON	AMADEUS.

Lieutenants.

HERCULES	MARS
NEPTUNE	ALBERT

Marks of Distinction.*Council.*—A large white cockade.*President.*—A black bow.*General.*—Three red bows.*Captain.*—Two red bows.*Lieutenant.*—One red bow.

A. W. SMITH, Secretary."

" *Young England.*—Dated May 16, 1839.

" SIR,—Our Commander-in-Chief was very glad to find that you answered his questions in such a straight-forward manner. You will be wanted to attend on the 21st of this month, as we expect one of the country agents to town on business of importance. Be sure and attend.

" A. W. SMITH, Secretary."

" P.S. You must not take any notice to the boy, nor ask him any questions."

" *Addressed, Mr. Oxford, at Mr. Minton's,
High-street, Marylebone.*"

" *Young England.*—Nov. 14, 1839.

" SIR,—I am very glad to hear that you improve so much in your speeches. Your speech the last time you were here, was beautiful. There was another one introduced last night, by lieutenant Mars; a fine, tall, gentlemanly-looking fellow; and it is said that he is a military officer, but his name has not yet transpired. Soon after he was introduced, we were alarmed by a violent knocking at the door. In an instant our faces were covered, we cocked our pistols, and with drawn swords stood waiting to receive the enemy. While one stood over the fire with the papers; another stood with lighted torch to fire the house. We then sent the old woman to open the door, and it proved to be some little boys who knocked at the door, and ran away.

" You must attend on Wednesday next."

" A. W. SMITH, Secretary."

" *Addressed, Mr. Oxford, at Mr. Parr's,
Hat and Feathers, Goswell-street.*"

" *Young England.*—3rd of April, 1840.

" SIR,—You are requested to attend to night, as there is an extraordinary meeting to be holden in consequence of having received some communications of an important nature from Hanover. You must attend, and if your master will not give you leave, you must come in defiance of him.

" A. W. SMITH, Secretary."

" *Addressed, Mr. Oxford, at Mr. Robinson's,
Hog-in-the-Pound, Oxford-street.*"

— **TIERNEY.** I am a police-sergeant. I have, since this morning, been to the wall on Constitution-hill, opposite where the prisoner stood—the height, from the foot of the wall, is nine feet four inches—it is twenty-two yards from the wall to the railing opposite, in rather a slanting direction.

COURT. Q. The foot of the wall is lower than the road? **A.** It would make about a foot difference—that would be about eight feet four inches from the road—I saw a mark on the wall—that is exactly six feet from the foot of the wall, or about five above the level of the road.

JAMES BROWN. I was an outrider attending her Majesty, on the evening of the 10th of June—there were two more outriders attending her Majesty—her Majesty had no other attendants from the palace to the place where she was shot at—the two equerries went across the garden from the door, and came out at the gate from Constitution-hill, leading from the garden to the road—I was behind—the other two outriders were before her Majesty's carriage—my horse's head was not above a yard from the carriage when the first shot was fired—when the last shot was fired I was close by the side of the prisoner—as I looked round from the report of the first pistol he was just firing the next—I was about the same distance behind the carriage—I was close to it, within about a yard of it—I was in the centre of the road—it was a smallish man that fired, respectably dressed, in a brown coat—I was trying to turn my horse—two or three persons had got hold of the prisoner, and I followed on with her Majesty to her Royal Highness the Duchess of Kent's—I had not noticed the man before I heard the report.

Cross-examined by MR. BODKIN. Q. How many equerries usually attend her Majesty? **A.** Two—on this occasion they went across the garden, and not out at the usual gate, to join the carriage at the top of Constitution-hill—it is usual for them to go out with her Majesty at the front gate—they generally ride one on each side of the carriage, close to the hind-wheel—her Majesty usually sat on the left-hand side of the carriage in this small carriage.

MR. ATTORNEY GENERAL. Q. In the larger carriage, does her Majesty sit on the same side, or sometimes on the right side? **A.** Sometimes on the right side; generally so, I believe, in the larger carriage.

THE HONOURABLE FOX MAULE. I am Under Secretary of State for the Home Department. I was present when the prisoner was before the Privy Council and examined—when the examination was closed, the Secretary of State informed the prisoner that he was at liberty to make any observation he chose, but at the same time warned him that any thing he did state would be taken down in writing—the prisoner did make a statement voluntarily, and he also voluntarily signed that statement—this is the statement he signed—*(read)*—"The prisoner says, 'A great many witnesses against me—some say I shot with my left, others with my right—they vary as to the distance—after I fired the first pistol, Prince Albert got up as if he would jump out of the coach, and sat down again, as if he thought better of it—then I fired the second pistol—this is all I shall say at present.'"
(Signed) EDWARD OXFORD."

Q. Were the witnesses examined in the prisoner's presence? **A.** Yes, and he put questions to them by way of cross-examination.

Cross-examined by MR. BODKIN. Q. I believe other persons were examined, who have not been to-day? **A.** Yes, Lord Colchester and some others—I have seen the prisoner twice in Newgate—I have had conversa-

tion with him—I do not know whether I put questions to him ; but on one occasion, when I saw him, I was given to understand it was at his own request, and then he made a statement, in my presence, which the governor of Newgate took down, with his own consent—I may have put several questions to him—I found no reluctance to answer any questions I put to him.

Mr. SIDNEY TAYLOR addressed the Court and Jury in the prisoner's behalf, and called the following witnesses :—

SANDHAM KENT. I am a carpenter, and reside at Kentish-town. I was acquainted with John Oxford, the grandfather of the prisoner—his wife was my sister—he was a sailor—I saw him when in England, and continued, at intervals, to have him under my observation to the time of his death—I do not remember in what year he died—I should think it is about eight or nine years ago, but I cannot say to a certainty.

Q. In the latter part of his life what was the state of his mind? **A.** The latter part, I think, was better than it was before—the first part of his life, I think, was very unsound—I formed that opinion by his behaviour and his ways of going on—he was raving mad at one time—that was about 1799—I was obliged to put him under restraint then—I was obliged to put cords on him—he was in the country—I was assisted by three persons in doing it—it required the strength of those persons to confine him—I never saw him confined by a strait-waistcoat—at the time I speak of he was confined in the country, just by Petworth—he was put in Petworth Bridewell, and kept there a fortnight—he was put there for being unsound, for care—I did not see him there—we took him to the Magistrate, and he sent him there—he was there a fortnight, and was sent out, promising he would come off to London—he was very queer, at times, in his conduct—once he ran after me with a spit—I had not given him any provocation for that, nor had any quarrel with him—at the time he was confined he broke the windows, and smashed every thing in the house—the things were not his own, but my father's—he was down there then—his wife came down to my father's, and he came down to her—at the same time he threw a couple of clocks down in the room, and smashed them to pieces—his wife was obliged to go from my father's to another house to be protected from him—that was at the time of the christening of one of his children—I did not see him for two or three years after he came out of the Bridewell—I then saw him in town—he was in a very good state then—he went to sea, and two years after he came home, and was very queer again—I do not remember any thing particular which he did then—while he was in town he used to be always laughing and jumping about, like anybody *quite gone*—he was after that admitted into Greenwich Hospital—I cannot say whether there is a part of the Hospital where lunatic patients are kept—I saw him at the Hospital—he was in the Queen's ward—I never saw him in the infirmary.

Cross-examined by MR. ATTORNEY-GENERAL. **Q.** How old was he when he married your sister? **A.** I cannot say, I suppose between twenty and thirty—I did not know him before that—I became acquainted with him two or three years after his marriage—he was given to drink a good deal—I believe it was after those drunken bouts that he displayed a violent turn—I do not think he lived very happily with his wife, but I cannot say—I took him before the Magistrate at Petworth, for throwing down and breaking the things in the house, and threatening our lives—he was

allowed to go at liberty from the Bridewell, on promising to go to London—I saw no more of him for some years—he continued his habit of drinking—he went about Greenwich Hospital like any other of the pensioners.

COURT. Q. Do you know how long he was at Greenwich? A. I cannot say, it was five years or more.

SOPHIA OXFORD. I live at Bishop's Stortford. I am the widow of the prisoner's grandfather, he has been dead eleven years, he died in Greenwich Hospital—I had been married to him thirty-five years—he was a seafaring man, and went abroad occasionally—I generally saw him when he came to England—he was generally in a very unsettled state of mind when he came to see me—he was addicted to drink—he was not so much unsettled when he had not been taking liquor as when he had.

Q. Do you remember any thing particular that happened, to show the state of mind in which he was? A. I think it was soon after I was married—the very day that Edward's father was twelve months old, he came to me and made a very great disturbance—he broke the furniture and the clocks, and tore down the table-cloth—it might be owing to liquor—he was taken up and put in Petworth-gaol—they took him on horseback to gaol—I think three men took him—nothing was done to him before he was taken—I once saw a strait-waistcoat put on him, in 1821—I really cannot recollect the waterman's name who put it on—a waterman came in and put it on—that was at Deptford—I sent for the person to put it on—I was in danger—the waterman was not an officer—the beadle of the parish came as well as the waterman, and one or two more men—I cannot say how long they were putting the waistcoat on him, for I was not present when it was done—I saw him afterwards, when it was done—I was at my own home—my husband was up stairs—I did not go into the room while they were putting the waistcoat on, I did not like to see it done—no one was in the room with him before the men came—I took them up stairs—he had been very restless during the night, and told me he should get up and go to Birmingham, and I watched him—he told me to go to Woolwich—my daughter was in the house—I sent her, and he had the waistcoat put on him, and after it was put on he was very bad indeed, and so continued for several days—it was necessary to have two men with him—he was fastened down to his bed at that time—he was not fastened to his bed more than a day, but the strait-waistcoat was kept on between a week and a fortnight—a medical man was called in—I think it was Mr. Atkins, a surgeon, living at Deptford—I do not know whether he is living or dead now—the straight-waistcoat was kept on several days after the medical man had seen him—at the end of the time I have mentioned, he got better, and went to sea again, after some time—as well as I can remember, about a couple of months elapsed between the attack and his going to sea—I never knew him in the Royal Naval Asylum—I knew him in the college—he was a pensioner, he was under the care of Sir Richard Dobson, for a complaint in his head, after he was admitted at Greenwich—I firmly believe the attack in his head affected his mind—I saw him in the hospital at the latter part of his life—his bodily health was very good, until within the last fortnight—his intellect appeared very steady the latter part of his time, the last fortnight—for the last few years of his life, I was a great deal away at Brighton—I was not with him till within the last twelve months.

Q. Well, what was the state of his intellect during the last twelve

months? *A.* It appeared very steady when he refrained from liquor—I did not know him to be labouring under any delusion at any time while in the hospital—I was at Greenwich for the last year—he used to come to and fro to me from the hospital.

Cross-examined by MR. SOLICITOR GENERAL. *Q.* How long had you known your husband before you were married? *A.* Not more than two months—I was living in a family at East Bookham, when he went to sea before I saw him at Petworth—I cannot exactly say how long he had been absent when he came to my father's—he had made a voyage to the East Indies, and came back—I went to my father's when he was liberated from Petworth jail—I was living with my father when he came to me at Petworth—I had left him in London when he last went to sea, before he behaved so badly—he was not displeased at my going to my father's—he wished to give them a treat, which did not suit them, and then he turned into a great rage, and got in liquor—he was not tipsy—he was about two days at my father's house when this happened.

Q. What was the treat they would not have, which made him so angry? *A.* He had high notions, and he thought they ought to have paid him that homage—he thought they did not behave well to him—when he broke the things, they sent him to Bridewell—he went to sea again—it might be a few days after that, or it might be a month or two—after he came out of the Bridewell, he came to London—I went to London with him till he went away—he was about four years in Greenwich Hospital, to the best of my recollection—for the last twelve months, he was steady, and kept from liquor.

SOPHIA BARTLETT. I am daughter of the last witness. My husband is a farrier, and lives in Harrison-street, Gray's Inn-lane—I remember the time of the strait waistcoat being put on my father at Deptford—I was then about twelve years old—some men were sent for, and I believe four came—it was very near four o'clock in the morning—I believe it was in the summer time—the men shut the door when they went into my father's room—he was confined to his bed about a fortnight on that occasion—he afterwards recovered, and went to sea—I and my mother then went to Brighton—I next saw my father at Greenwich College—I saw him there very often.

Q. What appeared to you to be the state of his mind when you saw him at Greenwich Hospital? *A.* Not altogether insane, more of an eccentric character at that time—he told me he was the Pope of Rome—that was when he was keeping guard at one of the college gates—he would tell me he was St. Paul, and that the Pope of Rome had made his escape—that was when he was guard at the gate—he said these things as if he seriously meant them—he was quite sober when he said them—by the term eccentric I meant strange—he was treated very kindly at the hospital, particularly by his lieutenant—I had a brother named Peter, who I believe was younger than myself—he had a complaint in his head which caused his head to be light—I believe he was put into the Naval Asylum for that—I saw him there once—his head was quite well then—I do not exactly know how long he was there.

Q. Now, with respect to your father, from the means of observation you had, was he in your judgment, of sound mind, or not? *A.* Never.

Cross-examined by SIR F. POLLOCK. *Q.* When did you last see your father before his death? *A.* On the Sunday evening as he died on Mon-

day morning—that was in the year 1831—I am twenty-six years old—I was born in 1815—I have never had any serious illness—I have been indisposed—when my father had the strait-waistcoat on he was confined in the top room of his own house—he was not carried away—I remained there during the whole fortnight he was confined, except of a night—I do not know how long he had been to sea before this happened—he had been to sea from a very early age—he had been home some time previous to this occurrence—I cannot say how long, as I was not at home myself—I cannot say whether he came home well or unwell—his manner had been strange before he had the strait-waistcoat on—he had had no fever—he was in perfect health of body—I was at the top of the stairs when he was in his room, and I looked through the door—I was in the room when any one else was there—he went to sea after this—not for many years—I cannot say how many—he went to sea, I believe, in about six months after he was confined—he took no other situation till he went to sea—he went in the Royal Navy—when he was at Greenwich College he used to say he was the Pope of Rome, and he would hoist his halbert over his shoulder—his duty while on guard was to open and shut the gate—I did not observe that he carried any arms—I believe he did not—he would sometimes say he was St. Paul—that was when at the gate, and when he came home too—I never heard him say he was St. Peter—Dr. Henderson attended him, at Deptford—he had no doctor at the time he talked about being St. Paul and the Pope—I never mentioned it to a doctor—he was perfectly harmless—the prisoner is my eldest brother's son.

SARAH KITCHEN. I am seventy-four years of age, and am cousin to the widow of the prisoner's grandfather. I formerly kept the Black Prince public-house at Kennington—I retired from business many years ago—I did not see Edward Oxford, the grandfather, often—I recollect his coming to me one day at Kennington—that was the first time I saw him—he behaved in a very singular way, but I did not know him before, and did not know his manners—he acted in a very inconsistent way—I supposed he was not quite clear in his head—it is thirty years ago—I cannot exactly recollect in what way he acted, but I know he behaved in a very singular way—it was on a Sunday afternoon when he went from me—his wife was with him—he behaved very indecently in the street, and the watchman was obliged to take him to the watch-house—the last time I saw him he sat down at the table, pulled his handkerchief out of his pocket, and tied it tight round his head—I asked him if his head ached—he said, no, he was St. Paul, and he was going to be my leader—he said he would be my leader because he was his wife's leader, and he then sat down again—he then got up, went to the other side of the room, and talked to himself a considerable time—there was no one in the house but myself, and I felt very much alarmed at his conduct—he said he was going to tell his captain (the gentleman he sailed with, I forget his name) that he was to be his leader also—he went home, and next morning he was obliged to have a straight-waistcoat on, and be tied down to the bed—I wished to get rid of him, and he went—I knew his son, the prisoner's father, when he was a little boy at school, but I never saw him since.

Q. When he was a little boy, did you see him do any thing strange?
A. I did—one time I saw him go to the top of the house, get out of the window, and hang by his hands—a person came and told me of it—his mother was sitting in the bar with her and she and the woman went up

stairs and pulled him in—he was hanging by the sash at the bottom part of the window—I cannot say what height the window was from the ground—it was on the first floor—he was hanging over the street in that way—he was about twelve or thirteen years old then—I never saw him after that.

Cross-examined by MR. ATTORNEY-GENERAL. Q. With regard to the grandfather, did you know enough of him to be aware that he was very much given to drink? *A.* No—I never heard it—I never saw him in liquor—I never saw him but four times in my life.

HANNAH OXFORD. I am the prisoner's mother. I was twenty years of age when I married his father—he was also twenty—I was acquainted with him about six months before I married him—I was at that time living at Birmingham, with my father, who kept the Hope and Anchor tavern—he was an artizan—he became acquainted with me by frequenting the tavern.

Q. Before your marriage, did any thing take place in your presence which you thought singular in his conduct? *A.* He was singular altogether, not like any other man I was acquainted with—I did not marry him with the consent of my friends—I refused to marry him a great many times—on those occasions he would pull a razor out of his side pocket, and bare his throat, and say he would cut his throat in my presence if I refused him—I have at other times seen him with pistols and poison—he would show me the paper with oxalic acid—at the time the Princess Charlotte was lying dead, he followed me out of the house with a double barrelled pistol loaded with slugs, and said if I refused to have him he would blow his brains out before my face, and I promised him then—I never said I would have him before then—upon that threat I for the first time said I would marry him—we were married on the 28th of April in the following year, 1818—I had made the promise in November—a variety of circumstances took place between the time of my giving the promise and the time we were married—he would come to my father's, and when my father would not serve him with liquor, he would send out for it to other houses, and he would offer to pay other people's scores—he was then, I should say, the worse for liquor—I remember the day before we were married, a person had written to his master to inquire his character, and it was not satisfactory—it arrived that day—I then told him I would not be married to him—on my telling him that, he went into a violent rage, pulled out a roll of Bank-notes and the license, and burnt the notes—I then said I would be married—the notes were entirely consumed—on another occasion he took some Bank-notes, twisted them round his finger, lighted them, threw them on the ground, and watched them burn out—they were Bank-notes of his own—his conduct did not improve after marriage—he would promise if I would marry him he would keep it a secret, as I was married without the consent of my parents, but he quarrelled with my mother, and then disclosed the circumstance of my being married to him—it was before we were married that he burnt the Bank-notes—twice before we were married he burnt Bank-notes—the bundle he burnt the day before our marriage was in consequence of my refusing to have him—the others he burnt after I promised to have him—he wished me to have the money to purchase furniture, and said, "Will you have it?"—I would not, and he then burnt the notes—there was a very large roll of notes—I do not know precisely the number—he was earning on an average I

should say 20*l.* a week at that time—he was very skilful as a workman, and very quick—he was a gold chaser, which at that time was a very lucrative employment—he was considered the best in Birmingham.

Q. Do you remember at any time his making an attempt upon his own life?

A. I do—frequently, before our marriage—one night he was picked up by the watchman outside the door, and there were a great number of people there—I, knowing what he had threatened, was very much alarmed—he was found by the watchman in the street with a razor in his hand—I was in my mother's house—he was brought in, and I saw him—the watchman had the razor, and gave it to my mother—he was crying at that time, and seemed very desponding—we had seven children—the prisoner was the third child—the first child is living—at the time I was pregnant of the second child, my husband's conduct was dreadful, brutal—he neglected me so that I fainted three or four times a day for want of food—he once broke a jug, and threw a piece at me—it would have cut my face, but I held up my arm and it cut my arm—I have the wound now—he annoyed me dreadfully by grimaces while I was pregnant of my second child, and by jumping about like a baboon, and imitating their grimaces—that continued during the whole period of my pregnancy of the second child—that child was barely born alive—it was a confirmed idiot, and its countenance was precisely as the father looked when he made those grimaces—it put its tongue out like he did—it lived about between two years and four months, not quite two years and a half—during all that time it had not the least appearance of reason—it never spoke or walked—it was very voracious—it showed no indication of sense or reason at all—I continued to suckle that child after the birth of the prisoner—it took to the breast two or three days after this boy was born—its cry was not human—it was a sort of moan—it was not like a child cries—I suckled that child and the prisoner together—my husband's conduct was much the same during my pregnancy of the prisoner, grimaces and so on—I was in tears one day when a lady called, she said, “What is the matter, Mrs. Oxford?”—I said, “He is commencing the same faces he always has done,” and she told him it was very wrong of him—he once struck a file into my breast, and the milk flew out from the wound—there was a stream of milk on the floor—that was before the birth of the prisoner, it was whilst I was suckling my first child, and on observing the milk come from the wound, he showed the same indifference that he always did—I had not had any quarrel with him—he was always tormenting me—he delighted in annoying and teasing me.

Q. Did you do any thing to provoke him to these extraordinary acts?

A. No—I was considered too patient, and too attentive to him—I was blamed by my parents and many persons—he kept a horse at one time, and I have seen him bring the horse into the house, he led it in by the bridle, and he seemed, like a child with a toy, amused at his own folly—he brought it into the sitting-room, and led it about—I have frequently applied to him for money for the support of the family, which he has refused, and abused me, and he once knocked me down, and fractured my head—I had done nothing more than ask him for money to support the family—I knew he had received many pounds that night—he put 2*s.* on the table—I said I could not do without money—he was perfectly sober—it was between seven and eight o'clock in the evening—I believe it was before the birth of the prisoner that I received the blow which fractured

my head—I cannot say whether it was at the time I was pregnant—he cut my head with a quart pot, while I was pregnant with the prisoner—he threw it at me, and it cut my straw bonnet through, and cut my head—I did not know my head was cut till I felt the blood coming down—I do not remember how far advanced in pregnancy I was then.

Q. Was your mind ever at all affected by any violence done to you by your husband? A. When asleep I screamed, and I was obliged to be awoke up in my dreams—that was when my head was fractured—I was carried in by several persons, and when they dressed my head, I attempted to walk, but could not, my head turned round with giddiness—that was the day it was done—I was dangerously ill—I was obliged to have my head shaved and poulticed—Mr. Partridge the surgeon can tell when that was better than I—I believe he is here—I remember one day walking with my husband—he left me, saying, he had a box to go off by to-morrow, and he must go and finish it—he left me at my mother's, on telling me that—after that I went home with the servant and child, and found the house locked up—it was not opened to me—I went back to my mother's—it was afterwards opened, and part of the goods were removed, the house in confusion, and my husband gone—he was taken by the authorities of the town next morning, in the act of leaving Birmingham, for London—I had not had any quarrel with him at that time—not a word or sentence of anger—when I saw him afterwards he did not give me any explanation of his conduct, but he came into my father's house and asked me some questions, which I answered him—the persons sitting by wondered how I could speak to him—he went away again immediately—he continued in Birmingham for some weeks, and then went to Dublin, where he stopped four months, leaving me and my children with my mother—at the end of the four months he returned, and sent for me to a lodging-house; I of course put out my hand, expecting he would be glad to see me, but he pushed me from him—he said nothing particular, only he seemed annoyed at my looking better than when he left me—he said so—I have heard him reasoned with by his friends as to his conduct, and he said, if any one persuaded him to do any thing, he would act directly opposite—he did not appear to be capable of seeing the folly and wickedness of which he was guilty—he would laugh in the most triumphant manner; and he had I should say, an almost supernatural look with him when he had done wrong, and when I was distressed—the day I was put to bed with the first child he kicked me violently because I did not agree to something which he proposed to me to do—I have known him take poison twice, I believe—once he took laudanum, and he was very ill for several days afterwards—he was at my sister's house the same day that he took it in the afternoon, and she spilt half of it—he kept his bed several days in consequence—Dr. Birt Davis was called in in consequence—my husband died on the 10th of June, 1829—I have seen my husband's father several times—I saw him on the occasion of my husband's death, and the night before he was buried, he said he was determined to lie by the side of his dear boy, and he was then in a putrid state, in his coffin—I had been obliged to burn vinegar for the last two or three days—his father did not appear to be in a sound state of mind—he reproached me for having my husband opened without getting any thing in return, which was very unnatural, I think, in a father—his conduct was very eccentric on other occasions when I saw him—he had a great many peculiarities. The prisoner was born on

the 19th of April, 1822—for the first seven years of his life he was under my care.

Q. Did you observe any thing remarkable about him from his infancy?

A. Yes, he would burst out crying when there was no one near him, and no one speaking to him, and he was always very troublesome—it was different to the mere waywardness of childhood—if he sat still or stood still, he would burst out crying—that was after he had learned to walk as well as before—all children cry, but this was when he was three or four years old, and he has continued to do so through life, to cry without any apparent cause—I have known that to be the case up to the time of my going to Birmingham, or just before that—that was in the present year—he had a great many other very singular habits—he would get into a violent rage without any cause; he would deliberately break any thing, and wilfully destroy any thing that he took in his hand—he once pointed a pistol at me, that was the first day he brought them home—I should have told you that my husband, during my pregnancy with the prisoner, pointed a gun at my head—the prisoner was particularly fond of fire-arms and gunpowder—I have frequently taken it from him when he was young—he would sometimes play about with other children, and at other times he would amuse himself with letting off cannons, and he was once very much burnt with gunpowder all over the face—he was very much hurt, that is eight years ago this summer—he was at play in the yard with a little boy, and the cannon exploded, and he was very much burnt—his eyebrows and eye-lashes were burnt off, his hair was very much singed, and his face was a complete mass—I sat up two nights to wash it with a lotion—it was very much hurt—he behaved very fractious indeed, and screamed terribly, so that the doctor was angry with him, and gave him a sleeping medicine—when I first saw him, after he had burnt himself with the gunpowder, he was crying dreadfully—I was absent at the time, and when I returned I found him washing his face with water.

Q. Has he any habit of laughing? A. I have frequently beat him for it when he was much younger—that habit has continued up to the present time—he would laugh hysterically after these gloomy fits, and fits of violent passion—it is an involuntary laugh—I told Mrs. Robinson so the day he left—he was in the habit of alarming me dreadfully, by making strange noises, firing off cannons, and flourishing a great stick before his sister's face, and before the looking-glass—complaints were made to me by the customers of his laughing, and if I asked him to do any thing when I was in business, he would make such a disturbance, that it used to distress my feelings dreadfully, and annoy the customers—I was at that time keeping a pastry-cook's shop in the Westminster-road, but he has annoyed them since then at a coffee-house which I afterwards took—when the gentlemen have been reading the newspaper, he has made such a dreadful disturbance that it was very annoying and very distressing to my feelings—the customers complained of it—I shut him in the cellar, on one occasion, when I kept the pastry-cook's shop—the customers came to complain of him—I lost a great many of them in consequence—I lost my business entirely—at times he was very affectionate, and at other times the contrary—he would break out unawares, and if he wanted any thing, and it was not reached him in a moment, lately, he would strew the room with litter, and throw every thing down that came in his way—he was sometimes very gloomy—he would sit for a long time with his hand to

his head, and not speak, and he would be impatient if I spoke to him, especially if he was reading, and we spoke to him, he would get in a violent rage—I went into a situation at Mr. Prescott's, the bankers, as confidential housekeeper, and was there a year and a half—I saw the prisoner occasionally during that time—I placed him with a person named Sandon.

Q. After you left Mr. Prescott's, and he came from Sandon's, did these peculiarities appear to have subsided or increased? A. Increased considerably—I could not manage him at all—he broke windows to the amount of 29s., and he used to jump on the sofa, and throw the pillows about, and destroy things wilfully—that is eight years ago—since that time he has been under my own observation until the last four years, and then he has only been with me for a week or a month occasionally, having gone out to situations—he was with my sister at Hounslow first for about two years—she then kept a public-house—she does not now—he then went to Mr. Minton's, at the Shepherd and Flock, in London, and from there to Mr. Farr's, in Wilderness-row—when at home he was in the habit of going on the roof of the house and throwing at people as they passed—he was brought home one night by a policeman, who informed me he had been taken to the station-house—he had got behind a carriage, and frightened a lady who was in it by making a great noise, and she was pregnant; and her husband, who was a solicitor, was exceedingly alarmed and angry—that was stated in his presence—I went next morning to inquire after the lady's health, and apologize—he took no notice when he heard this account—he did not appear conscious of having done wrong—he used to look very indifferently about all these things—I think this was somewhere about six years ago, between five and six—when he was at home of late, I knew of his having no companion but Master Linton, who has been examined—he never, to my knowledge, belonged to any club or any meeting—I left London for Birmingham about four weeks and three days, I think, before this occurred—at that time he was out of place—he had left his place just a week before I went to Birmingham—he received 20*l.* a year wages where he had been—he did not purchase the clothes he has on with that money—he has had that coat a long time; he had it just as Mrs. Minton died, more than two years ago—he then had a suit of mourning given him, consequently this coat was saved—he has had it in his possession full two years, I should say—I do not know whether it is so much as two years—I should say he has had these clothes nearly two years.

Q. How lately has any thing occurred between him and you in allusion to *Macbeth*, or any thing of that kind? A. He has always been talking in that manner, repeating parts of plays, from a very little boy, and we used to imitate him because he said it so badly—he wanted to go to sea last winter—he wanted me to go to Birmingham for 50*l.* to provide him as a midshipman—I told him of the folly of his going to sea when he knew nothing about nautical affairs—he said he should have nothing to do but to walk about the deck and give orders—I said, “But you must first learn navigation”—he said he would allow me half his pay, and how proud I should be of my son when I saw his name in the papers, Admiral Sir Edward Oxford—when he brought the pistols home, I said, how could he think of laying his money out in such folly, and he said they were not his—he was saving them for a young man—I do not know whether there was any thing in the pistol when he presented it at me—he had only just then brought them in—he has behaved violently towards me—the day

before I went to Birmingham he made my nose bleed by a blow from his fist—I was playing with him and turned round, and he hit me on the nose—that was not in the course of the play—it was after—he turned round suddenly as he was going through the door, and struck at me—it hurt me very much—I screamed out—the landlady came up stairs, and she said, “If I was to strike my mother I should expect my hand to drop off”—he appeared very sullen.

Q. You know his hand-writing, of course? A. Yes—(*looking at the paper headed “Rules and Regulations” found in the prisoner’s box*)—I believe this paper is his hand-writing—all that is his writing—I have received two or three notes from him since he has been confined—I have seen him write many times—I have no doubt whatever these are his hand-writing—these three notes—(*looking at them*)—are also his hand-writing.

Cross-examined by Mr. SOLICITOR-GENERAL. Q. About this nose bleeding, did he tell you it was an accident, and did you tell Mrs. Packman that you thought it was an accident? A. I did, because I did not like to appear so severe with him—my parents on many occasions witnessed the threats that my husband made to me before our marriage—his threats of what he would do to me if I did not marry him—the courtship continued, and I afterwards did marry him—I do not know the amount of the notes which he burnt—it was a very large roll of notes—I am sure they were notes, because the Birmingham notes were very much soiled, and I could tell their appearance—my son (the prisoner) went to school when he was a very little boy—Walters, I think, was his first schoolmaster’s name, I am not quite sure—when he went to a master’s school I was not there—it was while I was at the situation at Mr. Prescott’s that he was sent—I lived in Mary Ann-street, Birmingham, at the time of his birth—he continued under my care till three months after his father’s death—he was seven years old then—he had been to a small school in the neighbourhood where I lived—my husband kicked me at the time of my confinement—that was not the occasion upon which my father said he would prosecute him—that was when I was in such a dangerous state with the second child—I was taken home a month before my confinement, or else there was every reason to suppose I should not have recovered—it was on that occasion my father said he would prosecute him—I cannot say exactly how long the prisoner was at school at Walter’s—he next went to Mr. Robinson’s, in the New-Cut, Lambeth—that is about eight years ago—Mr. Walters was in Birmingham—he was at Mr. Robinson’s several months—Mr. Robinson used to come and complain of his inattention—he next went to a school at Camberwell, and remained there a few months—there were the same complaints then of inattention and wildness—I do not think he went any more—when I was at Mr. Prescott’s, he was placed with George Sandon, of Birmingham, who married a niece of mine—he was there twelve months—my father had the care of him after that—he remained with my father till eight years ago—I do not exactly know how long he remained with my father—it could not have been much more than a twelve month—part of that time I was with Mr. Prescott, and the other part in the Westminster-bridge-road, in business as a confectioner—when he left my father he came to me in the Westminster-bridge-road, and resided with me till he went to his aunt’s at Hounslow, four years ago—he was barman at his aunt’s—he continued with her till she failed in business, till he went to Mr. Minton’s—the duty of a barman is to serve liquor at the bar, and

receive money, and account for it—he went to Mr. Minton's from his aunt's—he was in the same situation there, as barman—he lived there twice—he received wages at his aunt's—he lived about four or five months with Mr. Minton the first time—he then came to my house for a short time, and Mr. Minton had him back again—I cannot say how long he remained there the second time—I should say more than six months, or about six months—he had 20*l.* a year there—his next employ was at Mr. Parr's, in Wilderness-row—he remained there till Mr. Parr left the house, and remained a short time with the persons who succeeded Mr. Parr, to initiate them in the business, for which he received a sovereign, I believe—he then came home for a short time, and then went to Mr. Robinson's, in Oxford-street—he gave Mr. Robinson notice, and afterwards he staid for a short time to oblige Mr. Robinson, till he suited himself—I went there for the first time the very day he left, and asked for him—Mrs. Robinson said he had left—I was rather alarmed, and said, “When did he leave?”—she said, “Not above an hour ago”—I said, “I hope he has given you satisfaction”—they said, “In every thing but laughing”—I said, “He cannot help it, for I have often boxed his ears for it”—I did not hear any complaint from Mrs. Robinson of his breaking the things, but I have often heard it from himself—when he was going to leave Mr. Minton the first time, I went to know the cause, and he said he made such mistakes in giving change, he liked him in every thing but that—Mr. Minton is alive—he is not here—the barmaid is—it was two or three weeks, I think, before he took him again—it was in consequence of the other barman leaving—I cannot tell how long exactly he remained the second time—I believe he was recommended from Mr. Parr's to Mr. Robinson's—my boy told me so—I never went to visit him at Mr. Parr's—he went to his aunt's four years ago this summer—during that four years, with short intervals, he has supported himself in those services.

Q. What were those noises that you speak of that he made at the coffee-house? A. Why he would cry and roar, like a boy that had been beaten, if I asked him to do any thing, and I put him in the cellar once, and locked him in—I have frequently corrected him at other times—I have been compelled to beat him when he was much younger—he was in the habit, as a child in play, of using cannons and gunpowder, occasionally hurting himself—my daughter and I were so much alarmed once that we were both ill by the loud report of a cannon—we took it from him—I gave it to a lady who was there, and who is now dead—he was in the habit of using those kind of things—the last place he lodged at was in West-place—I forget the name of the solicitor who took him to the station-house for frightening his lady—the lady lived in Camberwell-grove—I went there next morning—I believe it was a gentleman's *cab*—he got up behind, and made a great noise in the lady's face—he put his face round from behind the *cab*, while the lady and gentleman were riding home—the gentleman immediately gave him in charge—I do not know whether he was acquainted with a lad named Roach, or Smith, or Gray—I do not know either of those—I know Linton—the prisoner associated with the lads in the neighbourhood of the Westminster-road—he had been home a week and a day, when I went to Birmingham—I left him in the lodging—I think he brought the pistols home on the Tuesday or Wednesday after he left—I intended to return to West-place—I did not intend to stay so long when I went—I desired that he would look out for another place—he said nothing was stirring, and he should rather wait till a good place offered

itself, than answer advertisements—I did not propose that he should advertise, or answer advertisements—I got him his first place, and he got himself the others.

(Adjourned.)

FRIDAY, July 10th, 1840.

The Queen against Edward Oxford.—(Continued.)

MARY SUMNER. I am a widow, and live in Church-row, Houndsditch. My husband was a jeweller, and lived in Norfolk-street, Birmingham—I knew the prisoner's father there in 1820—we lived exactly opposite him in the same street—I had frequent opportunities of observing him—the first thing I saw singular about him was on an occasion when he rode into his own parlour on his horse—his wife was screaming, and I went over, and saw him riding round on horseback—I, of course, considered he was not right in his mind—I observed peculiarities in his conduct on many occasions—once at dinner he threw the meat and vegetables out of window—I was present at the time, and saw it—I was in my own house opposite—my husband and I have frequently said to ourselves that he must be out of his mind—that was the general opinion—I have very frequently observed peculiarities of conduct in him, though I cannot exactly call them to mind—we always considered his acts more the acts of a madman than any thing else—he came from Birmingham to London with us in 1820, and there he stopped several weeks, and his actions then were more like a madman than any thing else—my husband was obliged to tell him he must return, for we could not be troubled with him any longer.

Cross-examined by MR. ATTORNEY-GENERAL. Q. Did he drink a good deal? A. I never saw him drunk, or approaching to it—I have seen him take a glass of wine and beer very frequently—he used to come to our house, and we were in the habit of seeing him, and when we were in London for three weeks he came to our house daily.

Q. Was he not a very bad husband? A. Why, they used to have little broils, I believe—I was not aware that he was a very good husband—I think not—I do not know—I believe he was not a good husband—on one occasion he sold the goods during his wife's absence for a few minutes—he used his wife very harshly and ill continually, during the time we were in Birmingham, and after we left I heard he still continued to do the same.

COURT. Q. Did you ever know him to be attended by any medical man? A. No.

CHARLES MARKLEW. I live in Birmingham, and am brother to Mrs. Oxford. I had opportunities of observing the conduct of the prisoner's father—I had the care of the prisoner and his sister when they were young—the father came one morning to see them—he kissed both the children when he went out—he looked through the window, showed me a bottle, and before I could get out to him, he swallowed the contents of the bottle—I picked up the bottle, and I could tell by the smell that he had swallowed landanum—the bottle was empty when I took it up—it was full before—I called him a fool for acting in that way—he was taken very ill—I desired he would try to throw it up off his stomach—he tried to do so, but could not do it—I got him to bed, and informed his friends of it—a car was sent for, and I took him home to his lodging—after that Dr. Birt Davis was sent for to attend him—I always considered that he was in a mad state ever since I knew him.

Cross-examined by MR. SOLICITOR-GENERAL. Q. Pray, when he came and kissed the children, did he say any thing about the laudanum before he went out? A. Not a word—he took leave of the children—he had always been in the habit of ill-using his wife, and they were parted through that—he did not tell me what he was going to do, nor where he was going—he was not at all affected in taking leave of the children, he seemed sorry—I did not ask him where he was going—I asked him no questions whatever—he and his wife had been parted, perhaps two or three weeks then—he was a gold-chaser—he carried on that business at Birmingham some years, perhaps two or three years—I cannot say exactly—he came to live in London soon after—he never resided in Birmingham after that time—he came to visit the children—that is all—he stopped two or three hours—he did not sleep or live in the house.

COURT. Q. Did you live in London at this time? A. No, in Birmingham, but Oxford never visited Birmingham after he left.

DR. JOHN BIRT DAVIS. I am a physician, and reside at Birmingham—I am also a Magistrate of the county, and am Coroner for the Borough. I attended the husband of Mrs. Oxford on one occasion—he was labouring under symptoms of poisoning by laudanum—I may have seen him twice or thrice—I cannot tell which, but I believe I saw him twice—it was in 1824—sixteen years ago—I have no doubt I directed proper remedies to be administered to him—he recovered—I can hardly say whether I considered him in danger when I saw him—I do not recollect the estimate I took then of his exact danger—I have been practising as a physician from the year 1823—I do not think I had ever seen him before that occasion—I never saw him after—the two occasions on which I saw him did not afford me any sufficient opportunity of judging as to the state of his mind—I heard at that time of his odd conduct to his wife—representations were made to me of his conduct by others—I have been in Court during this trial.

Q. Have you formed any opinion of the sanity or insanity of the prisoner? A. I have formed an opinion.

Q. Supposing a person in the middle of the day, without any suggested motive, to fire a loaded pistol at Her Majesty, passing along the road in a carriage, to remain on the spot, to declare he was the person who did it—to take pains to have that known, and afterwards to enter freely into discussion, and answer any questions put to him on the subject, would you refer such conduct to a sound or unsound state of mind? A. If to that hypothesis were added what I deem a proof of hallucination—

COURT. Q. The question is, whether upon those facts alone you should judge a person to be insane? A. I should judge him to be insane upon those facts alone, but I should be stronger in that opinion if I was permitted—

Q. You mean to state, upon your oath, that if you heard those facts stated, you should conclude that the party must be mad? A. I do.

Q. Without making any other inquiry? A. Yes—taking this into consideration, the absence of motive, the absence of precaution, the deliberate owning, and the free discussion afterwards, of his own conduct, criminating himself in that way immediately afterwards, with the danger staring him in the face.

MR. BODKIN. Q. Suppose, in addition to those circumstances, it was shown, that just before the transaction, the party had written these papers which you have heard read, would that conduct strengthen, or otherwise,

the inference that you have already told us you draw? *A.* It would greatly strengthen the inference.

Cross-examined by SIR F. POLLOCK. *Q.* I collect from what you have said, that you have no distinct recollection of the remedies you prescribed to the prisoner's father? *A.* I have not—I have seen many cases of poisoning by opium—I should say a dozen cases, I cannot rely on my memory for the treatment of that particular case—I did not make any minute of the case—I was called in within a few hours after the laudanum was taken—I do not recollect the particulars of the case—it is mainly impressed upon my recollection by the fact of the man being a man of colour, and his residence.

Q. I collect from that, the only particulars you do recollect, are, that sixteen years ago you attended a man of colour, who had taken laudanum? *A.* That is about the sum of my recollection—I received the information that he had taken laudanum, from others—I cannot say whether he survived the effects of the laudanum by the assistance of any excitement or stimulant, or whether it was removed from his stomach by an emetic—I have no recollection of the particulars of his case.

Q. As a medical man, you are perfectly aware that a large dose of laudanum, may be taken without producing death, if a party is stimulated, and kept in motion by counteraction? *A.* The majority of such cases would recover, when properly treated, when treated in the usual way—he was drowsy—I am sure of that—I was not able to form any notion whatever of his state of mind.

Q. You have answered some hypothetical questions put by my learned friend opposite, (Mr. Bodkin) I beg to ask you whether you give that answer from your knowledge, as a physician, or from your experience as a Coroner, or as a Magistrate, or merely as a member of society? *A.* I answer as a physician—I think the circumstances which have been supposed, have, medically speaking, a tendency to prove insanity.

COURT. *Q.* We do not exactly understand what you mean when you say medically? *A.* If, as a physician, I was employed to ascertain whether an individual was sane or insane, in whom I found those facts, I should undoubtedly give my opinion that he was insane.

Q. As a physician, you think every crime that is plainly committed to be committed by a mad man? *A.* Nothing of the kind; but a crime committed under all the circumstances of the hypothesis.

Q. What are the circumstances in the crime itself, which you think show madness? *A.* The crime is committed in open day, it being obviously of great magnitude and danger; of great atrocity; it is committed without any precaution, without any looking out for the means of escape; it is afterwards spoken of openly, so far from concealing the criminating facts; facts which might afford a chance of escape; the existence of the balls is acknowledged, the free discussion of the circumstances, the absence of motive—by the free discussion, I mean a free response to the questions put to him immediately afterwards in the cell—the questions which Lord Uxbridge stated yesterday he did put—he said, on Lord Uxbridge entering the door, “I did it.”

JOHN WRIGHT. I am a sergeant of the police at Birmingham. I knew the prisoner's father when he resided there, about 1821—I was articled to him to learn the gold-chasing—I observed something strange and peculiar in his conduct—he was a man having wild and mad ways with him, and a

great brute to his wife—I have seen it in many instances—I have seen him strike her and plague her very much—as far as my opinion goes, I should think he was not right in his head half his time.

Cross-examined by MR. ATTORNEY-GENERAL. Q. Who artiled you to him? A. It was an agreement between ourselves, drawn up by himself, and signed by both of us—I was about twenty-one years of age at that time—I was twenty-one the January following—my family and friends resided about seven miles from Birmingham—they knew of my being artiled to him, and approved of it—I had known him about a fortnight before I was artiled to him—I had a brother in Birmingham, who was a carpenter and joiner, and he introduced me to his company—he had known Oxford, and recommended me to become his apprentice, as I wanted to learn his trade, and it was a very good trade at that time—he was a very good workman, and very ingenious—I did not continue with him more than three months—I was turned over to a gentleman, named Carrington, who lived three or four doors from his house—Oxford neglected his work, and gambled, and drank a good deal—on one occasion he presented a gun at his wife when in the family way with the prisoner—I had been out shooting, and I presented Mrs. Oxford with some of the birds, and he took the gun up and presented it at her—I took it from him, and told him it was loaded, and she was very much frightened.

MR. SYDNEY TAYLOR. Q. You know that she was then pregnant with this boy? A. Yes; it was one who was called Edward afterwards—when I took the gun from him, and said it was loaded, he began to pull faces at her.

ROBERT MEDD. I reside in North Old-street, Birmingham. I became acquainted with the prisoner's father in 1817—I continued to know him from the time he came to Birmingham till the time of his marriage—that was not twelve months—he lived with me after his marriage—I was acquainted with him five years altogether, before and after his marriage—I had very often opportunities of noticing his conduct and demeanour—from what I saw of him I considered him to be in a very unsound state of mind.

Cross-examined by MR. SOLICITOR-GENERAL. Q. I think you said you knew him twelve months before his marriage? A. No, not a twelvemonth, he was a twelvemonth before he was married—I knew him five years altogether—part of that time he lived with me in my house—he boarded and lodged with me both before and after his marriage—he did not live with me long the first time, not a month—I should think it was four years before he came to me again—I knew him in the interval—he lived with me about a month the second time—his wife was along with him—he was working as a gold-chaser—he worked for different manufacturers—I considered him in a very unsound state—I never saw him tipsy in my life, that I know of—I gave him a key of the house to let himself in—the first time I ever recollect any thing was, he came home in the middle of the night, called us up, and said he found the door open—when we came down we found the things all about the house, two or three little things, a prayer-book, and a Bible, he had secreted, we could not find them—next morning he produced them, and began to laugh at us—another time he had been quarrelling with his wife, he came out of the shop, took a knife out of the drawer, threw himself on the floor, and began to pretend to cut his throat—the neighbours came in and got the knife from him—he was haggling away at his throat—I got hold of his hands,

and they sent for Dr. Stokes—he did not cut his throat—I did not give him a chance—I did not send for the doctor—the women ran away foolishly—they were not aware he had not done it—we got the knife from him, and then he ran out of the shop, put his tongue out, and began to laugh and shout—I do not know of any other instance—he got a good deal of money, from 10*l.* to 20*l.* a week—I know what he got for his work was all brought into my house from different manufacturers—he frequently tried to frighten his wife and other persons by doing himself a mischief—I have heard a good deal about him—Dr. Stokes has been dead these five weeks.

COURT. Q. Did he come? A. Yes; and as soon as he came into the shop he began to laugh and shout at him, and he went away—he could very seldom settle himself to work unless he had got no money—when he had got money he was a complete madman—he could not keep it—I do not know which way he used to make away with it—he would give it to any body in a foolish way, or set lads to fight in the streets for it, or give it to any body in the shop to fight for it.

WILLIAM HENRY PARTRIDGE. I am a surgeon, and live at Birmingham. I formerly knew Mrs. Oxford, the prisoner's mother—I attended her more than once for an injury on her head—I do not know that it was inflicted by her husband—I was told so—I only knew the state of the prisoner's father's mind from common report.

GEORGE SANDON. I am a tailor, and live at Birmingham. The prisoner was under my care about twelve months—he came to me in 1830, I believe—I did not know him previously, nor since—he was a very peculiar boy while with me, something more than the common order of boys are—he was subject to many rash tricks when he was out—I considered by the singularity of his ways, he was not right in his mind, and that was the reason I sent him home to his friends.

Cross-examined by MR. SOLICITOR-GENERAL. Q. What rash tricks are you speaking of? A. When he was out with other children playing he would get nettles and beat them very severely, and make them blister on their arms, which is something more than common with children; and at other times he would get up to the room-window and throw things out—at other times he was very much addicted to laughing and crying, both at a time, and when I asked him why he did it he would say (in fact he would give me no straightforward answer) he would say he did not know, and would run away from me, which I considered very singular in a boy of his age—he was about eight years of age when he came to me—I cannot say whether he had been educated when he came to me—he could read very little—I cannot say whether he could write—I never practised him—I have taught him to read a little—he improved a little, but he was more inclined to be wild and run about—he did not seem any way attached to be in the house—I used to ask him why he did it, and sometimes I would give him a box on the ear, and, instead of crying, he would make a very peculiar laugh—not being a child of my own, I did not like to be very harsh with him—I kept him about twelve months, and then sent him to his friends in Birmingham—I do not know that I ever hit him more than once or three times—it was merely boxing his ears—I never beat him in any other way—I never locked him up—when he was up stairs by himself he would throw things out of the win-

dow—he was always up to some singular trick, always mischievous, more than other boys generally are.

BENJAMIN WALTERS. I live at Birmingham, and am agent for the Birmingham Brewery. I had the prisoner under my care in 1832, for about a year and a half, or a year and a quarter—his conduct was very bad while with me—I had a great deal of trouble with him the whole time—his conduct was very peculiar and different to that of other boys—I always found him very different to any boy I ever had to do with—I thought there must be something in him contrary to other boys—his behaviour was different.

Q. What impression did it make on you as to the state of his intellect and his understanding? **A.** He was quick at what was set him to do, when I could get him to set to it.

Q. What was your opinion as to the soundness or unsoundness of his understanding? **A.** I considered him unsound.

Cross-examined by MR. ATTORNEY-GENERAL. **Q.** He was with you as a schoolmaster? **A.** Yes—I had about 110 boys—it was a day-school—he learnt reading, writing, and cyphering with me—he was a quick lad—I believe he made considerable progress with me—he is a very good scholar in reading and writing—that he learnt of me—I had a good deal of trouble to get him to attend—he was a mischievous boy—he was rather idly inclined, and mischievous to the other boys—I have punished him for late attendance at school—he had a great distance to come—he would be there at eleven o'clock instead of nine—I was compelled to make complaints to his grandfather, who said he had better come to live with me, and he lived with me about two months—I punished him with the cane—I remember caning him once or twice—it was generally on the hand—he held out his hand, and I gave him a slap with the cane, as I did to other mischievous boys—I have punished him for mischievous tricks to other boys; and so it went on all the time he was with me.

CLARINDA POWELL. I now live at Islington—I formerly kept the King's Head public-house at Hounslow—I am the prisoner's aunt—he was in my employ two years—he has left me two years—he was under my observation daily during the two years he was with me—from my observation of his conduct and manner, I consider he was in an unsound state of mind from the time he came to live with me till he left.

Cross-examined by MR. SOLICITOR-GENERAL. **Q.** Was yours the first place of service that he had? **A.** The first—his duty was to be in the bar to draw spirits and beer—he went out with articles sometimes—he would have to receive the money, and account to me for it—there was no one in the bar besides him and myself—I had other servants to superintend the house, except the beer business, and my nephew managed that—I had been in business at Hounslow three years and a half before he came to me, during the life-time of my husband—I did not leave the house, when he left my service—I continued in it till the last twelve months—I have just left twelve months—there was no stoppage in the business about the time he left—he had to learn the business with me—he put the money into the till as it was taken—we had no book to keep—he sometimes received money for the articles he took out, not always—he went from me to Mr. Minton's, at the Shepherd and Flock—Mr. Minton did not make any application to me to know how he conducted himself in business—he did not apply to me either verbally or by writing.

Q. What were the acts you refer to which induce you to say he was unsound? **A.** One night in particular he put out the lights, when the house was full of company, at ten o'clock—the hour of closing was twelve o'clock—there were five gas-lights burning—he could not account why he did so—we were likely to have a disturbance, all the company being in the dark—I was obliged, at the risk of my life, to come down stairs, and he was then going on violently—I was obliged to come down to soothe him.

Q. Did he put them all out separately, or turn off the supply-pipe? **A.** Turned them off separately—I was ill in bed—I know he did not turn them off at the supply-pipe, because the cellar-door was locked, and the main was in the cellar—that is about four years ago within a week or two—he had been about twelve months, I think, in my service then—I have frequently seen him very absent—I have spoken to him three or four times, and he did not seem to know me, he seemed quite in a study—he read very much while he was at my house, generally sea voyages—that was the principal—he used to talk in a random way—I never asked why he left me—he left me of his own accord—he was treated with every kindness—he did not get into any scuffle at the time he left me—he was taken before a Magistrate, and fined—I paid the fine for him—that was six or seven days before he left me—I attended before the Magistrate—he was very ill-used by the party—it was me ought to have had them before the Magistrate—he had struck them with some violence—they dragged him down the yard by the hair of his head without any provocation.

MR. BODKIN. **Q.** Can you remember any expressions he used? **A.** He talked of becoming a great man—he used to talk of going to sea, and he should come to be very great, and things not very likely to take place.

JOSEPH DAY. I am a green-grocer, and live in Charlotte-street. In 1837 I was a corporal in the 2nd battalion of Grenadier Guards—I was quartered at Hounslow—I frequently went to Mrs. Powell's house there—I saw the prisoner there—I had opportunities of observing his conduct—it was my opinion that he was of an unsound state of mind.

Cross-examined by MR. SOLICITOR-GENERAL. **Q.** What part of his conduct brought you to that conclusion? **A.** When he had occasion to bring the beer to the tap-room, at times he would say, "That makes five, and that makes four," at the time there was only one unpaid, and he would lay hold of the servant girl, and behave very indecently, and take liberties with her—on the following morning, at ten o'clock, I left the house to call the roll of men, and I was brutally knocked down with a poker, and brought back—the following morning I was in conversation with Mrs. Powell, and the prisoner said, "Should you know the man if you saw him; was he short, thick, thin, or a tall man?" and ran over various things, his height, age, short, tall, or thin, and so on—he said nothing more about my knowing the man at that time—I thought he was unsound in that and other instances—I had occasion to go to the house again a week or a fortnight after, and he was still laughing and jeering, and making very curious remarks, and said, "I would rather be put to the mouth of a cannon-ball than be served as you was"—it was jeering me, and he seemed pleased at the injury I had received—I do not recollect any thing else.

MARY ANN FOREMAN. I have been living at the White Horse public-house, Knightsbridge—I now live in Southampton-street. I was in service at the Shepherd and Flock public-house at the time the prisoner was there—Mr. Minton kept it—he has since left that house, and is somewhere

in Berkshire, I cannot say where—I was there about eighteen months while the prisoner was there—from my observation of his conduct and behaviour during that time, I should say he was of an unsound state of mind.

Cross-examined by MR. ATTORNEY-GENERAL. Q. Was he barman during that eighteen months? A. Yes—I was barmaid—he came to take my situation, as I was going away, but Mr. Minton did not wish me to leave, and I staid—he served in the bar during that time, received money, and accounted for it to Mr. Minton—I do not know what wages he received—he slept in the house all the time—he went out very little—he was in middling health during that time, not very good—he had no doctor to attend him—he did not go to church on Sundays—we had no time for that—we could not get out—he went to Mr. Parr's after leaving Mr. Minton's—Mr. Minton gave him a good character—he was only full of his laughing and nonsense, and strange ways about him—he gave him a character to Mr. Parr as a person who would make a good barman, and a man that might be trusted—he thought he might be more steady.

MR. BODKIN. Q. What were his strange ways? A. Laughing and crying—if he made a mistake he would burst out crying, and if not, he would laugh—he seemed as if he hardly knew what he was about at the time—he merely put the money into the till—the head barman kept an account.

COURT. Q. There was a barman over him? A. Yes.

WILLIAM HAZLEWOOD. I was head barman at the Shepherd and Flock public-house when the prisoner was there—I have frequently observed his strange habit of laughing and crying—in my opinion, from the opportunities I have had of observing him, he was in an unsound state of mind.

Cross-examined by MR. SOLICITOR-GENERAL. Q. He went from your house to Parr's? A. Yes—I believe he had a very excellent character given him by Mr. Minton—he was sharp at times in business—I spoke to him about his laughing and crying—he told me he could not help it, that he had been so from a child—sometimes he went away, and sat down in the kitchen, and cried, after I have spoken to him—he did not leave Mr. Minton's of his own accord, he left on my account—he and I had a dispute—he had been there twelve months—he left then, and I remained, and after I left the situation he came back again—there was about six or seven weeks between his quitting and returning—that was not during the six or seven weeks he was at Parr's—I believe he remained four or five months after coming back the second time—I was there during part of that time—I came back also—when he left the second time, Mr. Minton gave him warning—I cannot exactly say how long he remained after my return, a few days—I did not keep up my acquaintance with him at Mr. Parr's—I never went out—I had enough to do at home.

MR. SIDNEY TAYLOR. Q. Do you know why Mr. Minton gave him warning to leave? A. No, without it was the mistakes—he very frequently made mistakes—sometimes when he took change for any one he would give them a sixpence for a shilling, and sometimes he would draw beer instead of gin, and he used to be always making mistakes—I used to speak to him about it, and he used to be in his passion, and burst out laughing in my face, and then cry.

COURT. Q. Did the crying follow the laughing? A. Generally—he

would laugh first, and then burst out crying directly after—I never noticed whether his mouth was down on one side more than the other.

THOMAS PARR. I lived in Wilderness-row some time since—I now live at the Blandford Arms public-house. The prisoner came into my service from Mr. Minton—he remained with me nearly six months, until I left the house—from my observation of him while he was with me, I considered him of sound mind, but he was subject to fits of laughter which at times were uncontrollable—I never saw him cry.

NEWMAN ROBINSON. I am the landlord of the Hog in the Pound public-house. The prisoner lived with me last April—he came on the 24th of January and left on the 1st of May—he gave me warning through a row, and he was always laughing—I reprimanded him for it—he kept laughing still—this laughing took place a good many times.

Q. Did you suffer any inconvenience in your business through his laughing in this way? **A.** The time he was with me was so short a time—some of the customers were offended by it.

Q. Did you form any opinion of the state of his mind? **A.** No more than mischievous laughing and foolish things—if he let any thing fall or if I did, he would burst out laughing.

Cross-examined by SIR F. POLLOCK. **Q.** Did you ever scold him for that? **A.** Yes—he said he could not help it—he was very correct in his conduct in all other respects—when he took money, he had just to put it into the till.

COURT. **Q.** Did he keep any accounts? **A.** No.

JOHN TEDMAN. I am an inspector of police. I am acquainted with the prisoner—I first knew him as barman at Mr. Minton's, at the Shepherd and Flock public-house—he was under my observation altogether for eighteen months, or from that to two years—I frequented that house—it is immediately opposite the police-office—from my observation of him and his conduct I considered him of unsound mind.

Cross-examined by MR. ATTORNEY-GENERAL. **Q.** During the time was he entrusted to manage the business, to draw the beer and other articles which were wanted in the bar? **A.** Yes, to take money and wait upon the customers—he was not a private acquaintance of mine—I saw nothing of him only in the house.

COURT. **Q.** Upon what facts do you form your opinion? **A.** I have gone in of a morning and found him crying very much, with his hands before his face, and his apron before his face, with his hands up—I saw that frequently—I have asked him what was the matter—he said, “Nothing, now, it is all over”—I asked him if any one had ill-used him—he said, “No”—at other times I have found him laughing very much—I have asked him why he was laughing—he said, the old women drank so much gin it would make any one laugh—I said, “There are no old women here now”—he said, “No, there is not”—he was by himself—on another occasion a gentleman came in and ordered some stout, and Mr. Minton requested the prisoner to bottle it—he got the bottles all upside down in the basket, and was putting the funnel and stout in at the wrong end of the bottle, the bottom end—that was about eleven o'clock in the morning—I asked what he did that for—he said it was a jolly good *lark*—he was filling the stout out of a can into the funnel—it ran all over the basket—there was no one with him—he was doing it without any one to look on—I think that is about two years ago—I told Mr. Minton he was acting

like an idiot about the place, and he had better send him away, and he did leave in a day or two afterwards—he was at times very violent in his temper, and at other times very quiet, and would scarcely speak to any person—I never particularly noticed that he was addicted to reading—I never saw him with a book.

Q. Did you ever hear him talk about great people? A. On one occasion I got Mr. Minton's children permission to see the Queen go to the House of Lords, from a lady who lives opposite—he complained to me and said, "Why did not you let me go?"—I said, "I did not know you wanted to go"—he said, "Oh yes, I did, I want to see the Queen particularly, and I am determined I will see her some how or other"—that is about eighteen months ago—it was when the Queen went to open the Parliament in 1839.

SUSANNAH PHELPS. I am the prisoner's sister. He lived in the same house with me in West-place at the time this circumstance occurred—there was constantly something extraordinary and strange in his conduct when living there—he was always firing pistols out of the window and in the yard at the back of the house, and pointing them at me—I do not know whether the pistols he pointed at me were loaded with ball or not—I never saw him load them—I never knew of any body being hurt by the pistols which he fired out of window.

COURT. Q. Did he fire into the street? A. No, out of the back window into the garden.

MR. SIDNEY TAYLOR. Q. Was this until very recently before the unhappy affair occurred, which he is on trial for? A. It began a day or two after he bought them—he brought his quarter's money, and a week over, from his last place—that was 5*l*.—he had 20*l*. a-year at the place he was in—I recollect his having a suit of mourning on the death of Mrs. Minton—I did not observe him keeping company with any persons when at our place, except John Linton, who was examined yesterday—I saw no one coming to see him, and he never received any letter—from what I observed of his conduct in West-place, it was my opinion, and every body's else, that he was not right in his mind—he once held a pistol at my head as I lay in bed.

Cross-examined by MR. SOLICITOR-GENERAL. Q. During the time he was in West-place, had he one pair of pistols or two? A. One—I only saw one pair—he read a good deal—he used to have books from the library—once he read the "Black Pirate," and "Jack Sheppard," and "Oliver Twist"—I do not know whether he read voyages and travels—he staid at home a good deal—he very seldom went out—I knew of his going to the Shooting-gallery—on the day he fired in the Park, he left home with the intent of going to the Shooting-gallery—he left home about ten minutes after three o'clock that day—he told me he was going to the Shooting-gallery, and to buy some linen for me to make him some shirts; and he told me he would bring some tea home from Twining's in the Strand—I do not know how lately he had been at the Shooting-gallery—it was on the Monday before that he fired at the house—Linton was not much with him at our house—he frequently went to Linton's—he used to spend most of his evenings there—I do not know of his paying his addresses to any young lady—I heard so from him when he was a little boy, but not lately—I never heard him mention any young lady he was visiting.

MR. BODKIN. Q. What was that when he was a little boy? A. He

was very little then—that could not be of any consequence—him and Johnny Linton used to write letters to a girl in the neighbourhood—that is three years ago.

COURT. Q. Did he sit in his room and write at all? A. Sometimes he used to be copying out of the New Testament—nothing else that I know of—I do not know what parts of the New Testament he used to copy—I never interfered with him, as he would fly into a violent rage when I spoke—he sat at one of the tables in the sitting-room—in the same room with me—I have seen him reading the books I have mentioned—I fetched them from the library for him—the “Pilot” was one—I cannot recollect any more—I never heard him talk about “Young England,” nor of any society that he belonged to, or said he belonged to.

EMILY CHITTENDEN. I was nursery-maid at the Hog-in-the-Pound for three months, at the time the prisoner was there—his conduct was very strange at times—I considered him in a sound state of mind, but sometimes very eccentric—Mrs. Robinson fell down stairs once, she did not hurt herself particularly, I believe, only by the fright, the prisoner was in the bar at the time, and he laughed very much indeed at it—I have noticed him laugh occasionally at other times—there was something peculiar in it, because there was sometimes nothing to be laughed at—I never saw him cry—I have not heard him talk of himself in any particular strange manner—I have not heard him say any thing about being King—I have received a letter from him since he left that house—it is destroyed—I remember how it was addressed to me—I cannot say how long ago it is, but as far as I can recollect, it was at the latter end of May in the present year—it was before I heard of his being taken up—as far as I can recollect, it was addressed—

“Fly postman, with this letter bound
To a public-house, the Hog-in-the Pound;
To Miss Chittenden there convey,
With speedily obey;
Remember, my blade,
The postage is paid.”

to this was added the No. of the house, and name of the street—it reached me by the post.

CHRISTOPHER DAY. I am assistant to Mr. Carbery, a tailor, at Charing-cross. I was in the Green-park on the evening the prisoner is charged with having discharged the pistols at the Queen—I saw the Queen's carriage—I did not see it leave Buckingham-palace—I first saw it after the first pistol was fired—I was, I suppose, sixty or seventy yards from the carriage at that time—the report of the first pistol attracted my attention to it—I saw the second pistol fired—I should say I had advanced about three paces when the second pistol was fired—I was about sixty or seventy yards from the carriage then—I could see how the pistol was directed—the prisoner's arm was on a level, I should say, with the top of the carriage, upwards—his arm was as high as the carriage—I should say that pistol was fired rather up Constitution-hill.

COURT. Q. How far was he from the carriage when you say his arm was in that position? A. About five yards from the carriage—he was behind the carriage at that time—the carriage was about five yards in advance.

RICHARD M'DONALD. I am a corporal in the 90th regiment. I was

coming through the Park on the day the Queen was fired at—I did not see either of the shots fired, nor did I hear them distinctly—I heard a noise, but not distinctly—I dare say I was 100 yards off at the time—I was coming down Constitution-hill—after hearing the noise, I proceeded on to where the carriage was—I looked at the garden-wall of the palace—it was pointed out to me by a gentleman on horse-back, about the spot where he thought the balls had struck the wall—I observed a mark there—in my judgment it was not a mark which had been made by a ball.

Cross-examined by MR. ATTORNEY-GENERAL. Q. Did you see one mark or two? A. Two marks—three I saw, one lower down still—two of them seemed to have been recently made.

MR. BODKIN. Q. How far were those two apart from one another? A. They might be two yards and a half or three yards apart.

COURT. Q. You did not see one fourteen yards off? A. Yes—I saw one at some distance—I saw three marks—I think the one fourteen yards off was also recent—it seemed to be quite newly done—it might be by a scraping with a stick by any body who was loitering about.

DR. HODGKIN. I have been a physician about fourteen years—I have been lecturer on morbid anatomy, and have written some works: lectures on pathological anatomy, and lectures on the promotion of health.

Q. Upon all the circumstances of hereditary insanity in the family, supposing a crime is committed without a motive, that the party committing the crime is subject in consequence of that crime (if brought home to him) to lose his life, and that on the commission of that crime, instead of attempting to escape from justice, he delivers himself up to the law and seems reckless of the consequences, are you as a medical man prepared to say whether those circumstances taken together in the commission of the crime, indicate a sane or unsound state of mind in the criminal? A. By themselves I should consider they were circumstances of strong suspicion, but other facts should be sought before one could be warranted in giving a positive opinion—those would be facts leading to a strong suspicion that the party was insane—if it should also appear that there was a previous delusion, that would certainly strengthen the case—supposing there was inherent insanity in the family, my opinion, grounded on cases which have occurred, would be strengthened that the individual was insane—striking cases are on record.

COURT. Q. Do you say that all insanity is hereditary? A. No, I have not said so.

MR. SIDNEY TAYLOR. Q. Are there instances on record of persons becoming suddenly insane, whose conduct has been previously only eccentric? A. Certainly there are—supposing, in addition, that there was previous delusion in the mind, my opinion would be that he was unsound—such a form of insanity exists and is recognized.

Cross-examined by SIR FREDERICK POLLOCK. Q. What form of insanity do you call it? A. *Lesion* of the will, it has been called by Le Marc, insanity connected with the development of the will—I should not consider a headstrong person to be under such an influence—I mention *lesion* of the will, as a term under which a highly reputed writer on insanity has chosen to designate a form of insanity, in which sometimes flagitious acts, sometimes only eccentric acts, are committed—it means more than a loss of control over the conduct—it means morbid propensity—moral irregularity is the result of that disease—I suppose in some instances there are

other indications of the disease—I do not know that there are not—I should think it most likely there would be, if the individual was sufficiently watched—that is a fair conjecture; but the case not coming under my own observation, it is impossible I can give an answer—I have had cases under my observation, in which I suppose this form of insanity existed, one case in particular, that person was in perfect health—I do not think I ever met with a case where the only apparent symptom was moral irregularity, where I had no medical indication of physical disease—I think that, committing a crime without any apparent motive, is an indication of insanity—doing any thing of any sort, without any motive, is not an indication of unsoundness of mind in every instance.

MR. SIDNEY TAYLOR. Q. Do you not make a difference when a man has to suffer the penalty of death for the act? A. Certainly—the species of insanity which Dr. Le Mark calls *lesion* of the will is a well-recognized species of insanity.

COURT. Q. Do you conceive that this is really a medical question at all which has been put to you? A. I do—I think medical men have more means of forming an opinion on that subject than other persons—I am supported in that opinion by writers on the subject, by Loura, and by Le Mark, who I have alluded to, who is a particularly eminent writer—my reason for thinking so is, because it is so stated by those writers.

Q. Why could not any person form an opinion whether a person was sane or insane from the circumstances which have been referred to? A. Because it seems to require a careful comparison of particular cases, more likely to be looked to by medical men, who are especially experienced in cases of unsoundness of mind.

Q. What is the limit of responsibility a medical man would draw? A. That is a very difficult point—it is scarcely a medical question—I should not be able to draw the line where soundness ends and unsoundness begins—it is very difficult to draw the line between eccentricity and insanity.

JOHN CONOLLY, Esq., M.D. I am physician to the Hanwell Lunatic Asylum. I have 850 patients under my care—I have had some experience in the treatment of disorders of the mind—I have seen and conversed with the prisoner—in my opinion he is of unsound mind.

Cross-examined by MR. ATTORNEY-GENERAL. Q. When did you see him? A. The day before yesterday, for the first time—I saw him on that occasion, and I have been in Court the whole of yesterday and this morning—I never saw him in private more than once—that interview lasted perhaps half an hour—a person who is unsound need not, in all cases, be under the care of some person—it depends on the character of the insanity—there may be individuals who may be at large, and associate with others, and still be of unsound mind.

Q. Do you consider there is any danger in the unsoundness you have discovered in the prisoner? A. Certainly I do—Dr. Chowne, Mr. Clark, and a gentleman who I am informed is Mr. Maule, the solicitor of the Treasury, were with me when I examined him—he did not exhibit any violence—he replied willingly to the questions I put to him, but his answers were very unsatisfactory—he seemed to have a very indistinct impression of the circumstances—he knew he was to be tried—when I spoke to him of his trial, wishing to see what impression it made upon him, on two occasions he said, “What trial, when?” and subsequently

he seemed to know the trial was about to take place the next day, and what it was—I asked him if he was not conscious that he had committed a great offence in shooting at such a young and interesting person as the Queen—he said, “Oh, I might as well shoot at her as any body else”—I did not take notes of the conversation—it was so short an interview, and so few questions were put, it seemed to me unnecessary—I went there with the view of being a witness on the trial if required.

Q. Tell me any answer that was unsatisfactory? A. Without recollecting the whole conversation, I cannot pretend to do so—I am unable to recollect—when I asked him if he was not attached to his mother and relatives, and whether he did not think it would very much distress them that he should be brought to trial, and condemned, his reply was, “Yes,” he was attached to them—when I asked whether he thought it would affect them or distress them, he said he did not know—when I said he might possibly be condemned, he said he did not know—he answered indifferently—I do not remember any other question, the answer to which was unsatisfactory, not so distinctly as to take on myself to repeat it.

Q. How long before had you notice that you were going to see Oxford with a view to ascertain his state of mind? A. On the evening before—I made some notes when I got home of my observation of him, of the general result of the impressions of my mind, not of the questions I put or the answers I received—I did not ask him to do me a sum in arithmetic.

MR. BODKIN. Q. Are these the notes you refer to? (*producing them*) A. Yes—they were not made on the same day—I examined the prisoner's head—it appeared to me that the formation of the anterior part of the head would indicate an imperfect development of a certain portion of the brain—I frequently find that form of head in insane persons—there are many persons of that form of head who are not insane—my notes were written as soon afterwards as I could possibly write them—they are very brief—they were not made with any intention of being read.—(*Reads.*)—“A deficient understanding; shape of the anterior part of the head, that which is generally seen when there has been some disease of the brain in the early period of life—an occasional appearance of acuteness, but a total inability to reason—a singular insensibility as regards the affections—an apparent incapacity to comprehend moral obligations, to distinguish right from wrong—an absolute insensibility to the heinousness of his offence, and to the peril of his situation—a total indifference to the issue of the trial; acquittal will give him no particular pleasure, and he seems unable to comprehend the alternative of his condemnation and execution; his offence, like that of other imbeciles who set fire to buildings, &c., without motive, except a vague pleasure in mischief—appears unable to conceive any thing of future responsibility.”

COURT. Q. Of course in that conversation you had with him you were watching his manner as well as what he said? A. Certainly—my judgment is formed in part by his manner, as well as by what he said.

Q. Did you try to ascertain whether he was acting a part with you or not? A. I tried to ascertain it as well as I possibly could—my judgment is formed upon all the circumstances together.

DR. CHOWNE. I am a physician of Charing-cross-hospital. I have been a physician twelve or thirteen years—I am lecturer in that hospital on medical jurisprudence.

Q. If you heard of a person committing a crime without the ordinary inducements to crime, either revenge or interest, and that crime exposes him to loss of life, and he seems reckless of consequences, and delivers himself into the hands of justice, and appears wholly exempt from any thing like consciousness of responsibility for the act, what opinion should you form of that state of mind? **A.** I should consider it an exceedingly strong indication of his being in an unsound state of mind—a propensity to commit acts without an apparent or adequate motive under such circumstances is recognized as a particular species of insanity, called in medical jurisprudence, *lesion of the will*—I do not know a better term—it is an old term—it has been called moral insanity; may I be allowed to give you an example? It is by no means an uncommon thing for me to have patients who complain to me that they are impelled with a strong disposition to commit suicide, of the madness of which act there can be no doubt, and yet there is no one symptom about those people indicating mental disease; there may be a slight degree of general indisposition, but no symptoms at all of any mental irregularity: these patients will say, “I have nothing to complain of, I have no unhappy news, I have no disappointment, I have no unsatisfied wish; my husband (if the case be so) is kind to me, I have nothing at all to impel me to the act but a strong impulse”—I have been asked to prescribe for such cases, not in one sex only, but both in men and women.

Q. Now, in that sort of mental disease, is it quite consistent with the person performing the functions of life and the duties of life with accuracy? **A.** There is no doubt of it; they can perform the duties of life with accuracy; I do not say with the same facility—I saw the prisoner in Newgate the day before yesterday, by permission of the Secretary of State, in company with Dr. Conolly, Mr. Clark, and Mr. Maule—I had some conversation with him.

Q. Now, from the conversation you had with him, and the opportunity you had of observing him, what is your opinion as to the state of his mind? **A.** I should consider his state of mind is essentially unsound; there seems a mixture of insanity with imbecility—I regard the incapacity of controlling laughing and crying, as proofs of imbecility, not as positive proofs in themselves, but as assisting to form my opinion.

Cross-examined by MR. SOLICITOR-GENERAL. **Q.** This propensity to suicide in the patients you speak of, were they persons performing all the duties of social life? **A.** They were persons proceeding with their duties of life, and in all their ordinary avocations—despondency of mind is very often connected with disorders of the stomach, but it very often happens that the physical cause has not been obvious, and has not developed itself at all; it is not at all necessary that the physical cause should be obvious—in such cases, I prescribed for disease in the stomach; I found those remedies did operate on the mind—laughing and crying without control is connected with hysteria, and also with imbecility—generally, when connected with hysteria, it is associated with the sensations, there must be fainting and *globus hystericus*, which arises in the throat—the questions put to the prisoner were not numerous; some were put by one gentleman, and some by another; I endeavoured to impress upon him that he was labouring under error when he considered it was incapable of being proved there were balls in the pistols; I assured him, in a manner I thought most likely to make him believe, there really were;

that the fact of there being balls in the pistols would be proved against him ; that his responsibility was a terrible one, and in all likelihood it would end in capital punishment, and if he knew whether that was decapitation—he said he had been decapitated in fact a week before, for he had a cast taken of his head—I endeavoured to make him understand it would be proved that there were balls in the pistols—I knew he had the impression that it could not be proved, from questions asked by myself—I cannot tell what he had said to induce me to form that opinion, but something was said to that effect by him—I ~~concluded~~, from something he said, that he entertained that opinion—he insisted that there were no balls there—the fact did not occur to me before—I do not remember his words, but the remark was to the effect that it was impossible—the question as to whether he was not concerned about his mother he treated with indifference, and seemed to be totally destitute of feeling, apprehension, or thought on the subject—during the whole time I was struck with a very peculiar manner—he was not an instant (though I believe it is partly habit) that he was not playing with a pencil and a piece of Indian-rubber, with which I found him drawing—when we went into the room he was quietly drawing, with a pencil on a piece of paper, something like a landscape—during the whole conversation he was leaning with his head on one hand, with the other flapping about with a piece of Indian-rubber, sometimes clapping one pencil against another ; in fact, a manner entirely without acute feeling or acute consciousness ; and in order to ascertain how far what I would call dullness of manner, that peculiar manner, might indicate idiocy even, I desired him to get up and walk ; and if I had supposed that he was acting when he was clapping the Indian-rubber about, that idea would entirely have been done away with by the manner in which he walked across the room, which he did with a great deal of lightness, liveliness, briskness, and smartness, not at all as if endeavouring to put on a peculiar manner—it occurred to me that it was perfectly natural, not as if he was acting or making the least pretence—the interview lasted, perhaps, about three quarters of an hour—I did not make any note of the conversation, neither at the time or after.

COURT. Q. Would it not have been wise to note the time of going and coming away? A. Perhaps it would, but I did not use that precaution—Mr. Maule was present during part of the examination, not during the whole—he came in during the latter part—I was in Court all yesterday.

Q. Did you form any opinion at all from the prisoner's manner during the trial? A. I did—I considered that manner was a continuation of the same kind of manner, but under some restraint here—I have no observation to make as to the form of the head—I also subjected the prisoner to what is called the arithmetical test—I infer nothing from it—I merely mention it because it did occur—he was pretty ready in casting up, but not ready in subtraction—I am not quite certain whether at the moment he was giving his attention to it ; indeed I consider it is a fallacious test.

JAMES FERNANDEZ CLARKE. I am a practising surgeon, and have been so between three and four years. I am surgeon to the Dorcas Charity, and Honorary Secretary to the Westminster Medical Society—I have had some experience in the treatment of insane persons, such as usually falls to the lot of the general practitioner, perhaps a little more, for having been so short a time in practice—I have been in the habit of attending the family of the prisoner—I have known him nearly two years

—I accompanied Dr. Conolly and Dr. Chowne, in their visit to him, the day before yesterday—I have formed an opinion as to the state of his mind ; not from that alone, but from other circumstances which I had had personal opportunity of seeing.

Q. What is the opinion you have formed as to the state of his mind ?

A. That it is decidedly that of imbecility—I consider it more imbecility than any thing—I do not like giving definitions—in my judgment he is decidedly of unsound mind—during the time I have been attending his mother and sister occasionally I have had opportunities of seeing the prisoner, and his mother has frequently mentioned to me that she thought there was something exceedingly peculiar about him, and asked what I thought—the chief thing that struck me was the laughing, which has been so much dwelt upon, the involuntary kind of laughing—with what perhaps we might call a kind of general hysterical tendency in him—he did not seem to me to have that sufficient control over the emotions which we generally find in sane individuals.

Q. Did you notice, at any time, any other symptom that is usually connected with hysteria ? *A.* My interviews with him were not prolonged, and my attention was attracted to him chiefly by the desire of his mother, who said she was afraid he was getting in the way that his father was—I did not know his father—I put one or two questions to him, when I saw him in Newgate—I heard questions put by the other medical men as well, and the answers which he gave—I watched his manner during the interview.

Q. Did it appear to you to correspond with his manner on former occasions on which you had seen him, or to differ ? *A.* Much the same character—great insensibility to all the impressions which were attempted to be made upon him—on one occasion some time ago my attention was more particularly directed to him, from a circumstance which this occurrence has brought very strongly to my recollection ; I think it is about five months since I was on a visit at his mother's house ; I called in my rounds to see her ; she was very poorly at the time ; if I recollect right, he was sitting at the fire reading a book ; he took no notice of me when I entered, and seemed to be absorbed in what he was reading ; his mother made some observation to him ; such as, "How rude you are ;" "Why not take notice of Mr. Clarke ?" "Why sit there and behave in this kind of way ?" He did not seem to notice the observation of his mother at all ; he seemed still to be absorbed in the book ; she put the question to him again, and there was still the same apparent reverie ; and when she touched him, to put him in mind that some one was there, he jumped up in a fury ; such as at the moment alarmed me, and swore that he would "stick her," I think was the expression he made use of ; but certainly it was such an expression that at the moment I drew back, thinking he meditated some violence. After this transaction had occurred, the mother called on me in great trouble, and made a communication to me, upon which I wished to see the prisoner, accompanying that with some opinion of my own, which I had formed. I did not see the prisoner until the day before yesterday, when the permission of the Secretary of State was obtained—I had made application at the Home Office on the Monday.

Q. In cases of hereditary insanity, is there any particular period of life at which medical writers consider it likely to break out, to appear ? *A.* In that kind of insanity particularly, which is connected with acts of violence,

Escoreaux says, in several cases which bear great analogy to the one which we might suppose to exist at present—in six of those cases I think that three of them took place at the age of puberty, between the ages perhaps of fourteen and twenty.

Cross-examined by SIR FREDERICK POLLOCK. Q. You say you have attended the family for some time? A. Yes—I live in Princes-street, Leicester-square—that is perhaps a mile and a half from where Mrs. Oxford and the prisoner lived, but they did not live there during the whole time I attended them—Mrs. Oxford has lived in Commercial-road within the last month—I never prescribed for the prisoner—I did not recommend any course of treatment—I considered that the disease was mental, one of those weak minds which, under little excitement, might become overthrown—I did not alarm the mother, for she is an exceedingly nervous woman—I recommended no course of conduct, diet, or treatment whatever.

Q. In short, I am to understand that you never gave any advice on the subject, of any kind whatever to his mother? A. Simply in conversation, I gave my opinion rather as to his state than any advice, nothing further—I never gave any advice, I was never asked my advice.

Q. Where did you meet the medical gentlemen when they went to Newgate? A. We came together from Dr. Chowne's, I think, but I forget at this moment—we assembled somewhere, and went together—I communicated with the medical gentlemen before they saw the prisoner, and stated what my notion was about him, to assist them in their investigation—I was present when he was brought into this Court last Sessions, and heard some affidavits read to postpone the trial—I was not asked to make any affidavit at that time—I was subpoenaed here, and was actually in Court.

MR. BODKIN. Q. Was you asked to prescribe for him by his mother? A. No, my visits were to her and to the sister—I am not aware of any medical treatment likely to be useful in cases of hereditary insanity—I was told he lived a regular life, no intemperance, no late hours—perhaps twelve o'clock—his bodily health appeared good.

NOT GUILTY, being Insane
To be detained during Her Majesty's pleasure.

NEW COURT.—*Thursday, July 9th, 1840.*

Sixth Jury, before Mr. Sergeant Arabin.

1878. JOHN WALL was indicted for breaking and entering the dwelling house of James Gorham, on the 4th of July, at St. Mary Abbott, Kensington, and stealing therein, 1 watch, value 2*l.*, the goods of the said James Gorham; to which he pleaded

GUILTY. Aged 49.—Transported for Ten Years.

1879. LAURENCE COGHLAN was indicted for stealing, on the 8th of July, 1 waistcoat, value 4*s.*, the goods of Isaac Wells; to which he pleaded

GUILTY.—Confined Six Months.

1880. MARGARET CHATMAN was indicted for stealing, on the 6th of July, 1 shawl, value 7*s.*, the goods of William Goodburn.

MARY ANN COOPER. I was passing the shop of Mr. Goodburn, about five o'clock in the evening of Monday, the 6th of July, and saw the pri-

soner take a shawl, which hung inside the door—she put it into her apron—I went in and told the parties—I saw her taken directly with it.

WILLIAM HENRY BAYFIELD. I live with Mr. William Goodburn, a pawnbroker, in Upper-street, Islington. Cooper came and told me—I went out, and stopped the prisoner about three doors from the shop, with this shawl, which is my master's.

Prisoner's Defence. I was passing, the shawl was on the ground, and I picked it up.

GUILTY. Aged 14.—Confined Three Months.

1831. **THOMAS JOHN SIMMS** was indicted for stealing, on the 25th of June, 3 spoons, value 12s.; 1 pair of sugar-tongs, value 3s.; 1 brooch, value 5s.; and 1 shilling; the property of James Atkins.

SUSANNAH BISHOP. I live with my aunt at Hampton, in Middlesex—she lives opposite the prosecutor. On the 25th of June, about a quarter-past four o'clock in the afternoon, I was standing at the window, and saw the prisoner enter the house, and go up stairs—I did not see any more—I told my aunt—I did not see him come out, nor see him again till he was in custody in a quarter of an hour—I know him to be the same person—I am sure of it.

Cross-examined by MR. BALLANTINE. Q. This is at Hampton-wick? A. Yes—I live opposite the Bird-in-Hand public-house, where the prosecutor lives—it stands between two roads—there is eight or nine yards distance between our house and the prosecutor's—I saw no one else.

WILLIAM PIGRUM. I am a shoemaker, and live at Hampton-wick. I heard the alarm given—a little girl spoke to me—I saw the prisoner go from the prosecutor's house—I ran after him—he ran away, and ran down a passage where there was no thoroughfare—I saw him lean his hands over some pales as if to jump over—I ran down—he turned back—I seized him, and said, "Give me those things"—he gave me from his hand three spoons, a pair of tongs, and a brooch—he got from me—I made an alarm, and he was stopped—I took him into my shop, and found on him 3s. 4d., a drop-key, another key, and a brooch, and then he was taken to the station-house.

Cross-examined. Q. I believe he made no resistance? A. Yes, he did, he got away.

WILLIAM GEORGE WORRALL (*police-sergeant V 23.*) I was on duty at Kingston when the prisoner was brought in—I received these things from Pigrum, and marked them—I understood that the prisoner had thrown something away, and sent an officer to make search.

THOMAS BARNES (*police-sergeant V 26.*) I was sent by Worrall, as a person said the prisoner had thrown something away—I went, and received these two screw-drivers from a man named Duncan, and one shilling from another man.

MARY ATKINS. I am the wife of James Atkins, we live at this house. These spoons and tongs are mine—they were in my bed-room on the first floor—on the 25th of June I was not at home—I left them safe when I went out—the bed was pulled off—two boxes were opened—one was broken open—there was nothing taken out of that box, but these things were taken out of the one that was not broken.

Cross-examined. Q. When did you see these spoons? A. In the morn-

ing before I went to Hampton races—no other things were missing but those named in the indictment.

GUILTY. Aged 23.—Transported for Seven Years.

1882. **MARY SUTTON** was indicted for stealing, on the 2nd of July, 2 sovereigns, the monies of James Collins.

JAMES COLLINS. I am a milk-carrier. On the 2nd of July, at half-past twelve o'clock at night, I met the prisoner—I never saw her before, but a young man I was with, was acquainted with her—we went to a public-house, and in the end I went home with her to No. 111, Saffron-hill—we went to bed together—I had two sovereigns and a half-crown—I put the half-crown on the mantel-piece, and the two sovereigns were in the fob of my trowsers—I had not been in bed above twenty minutes, when I heard something move—the prisoner was in bed with me then—I afterwards heard a speaking at the door—when I heard that, the prisoner was not in bed—she went out to the door—I was tired, and went to sleep—I awoke about four o'clock, and found the prisoner gone, and the door unfastened, which I had fastened the night before—I saw her in custody about six o'clock.

JOHN JAMES BARNARD (*police-constable G 110.*) I had heard of this—I watched about the premises, and the prisoner came home between five and six o'clock that morning—the prosecutor had described her to me—I detained her at the door till I saw the prosecutor coming up Saffron-hill—I asked if she knew him—she said, yes—I took this handkerchief from her hand with three half-crowns and one shilling, and some halfpence—I said I took her for robbing him of two sovereigns—she said it was the first time, and she would not have had it happen for 500*l.*, and she should never forget it, as it was on her birth-day.

EDWARD PORTER. I keep a coffee-shop. Last Thursday the prisoner came two or three minutes after four o'clock in the morning, with two females and a young man—they ordered coffee, eggs, bacon, and bread—the prisoner paid me a sovereign, and there was one remaining in a handkerchief in her hand—I gave her six half-crowns, two shillings, and one sixpence change—she took the other sovereign away with her—she left in about twenty or twenty-five minutes.

Prisoner. It was another young woman that changed a sovereign, not me, I never had a sovereign in my hand. *Witness.* It was you.

Prisoner's Defence. I never had the man's money, he said he had but half-a-crown in the world, which he laid on the mantel-piece, and would not give it me, that was the reason I got up—I never had his money.

GUILTY. Aged 21.—Transported for Seven Years.

1883. **WILLIAM ST. PIERRE** was indicted for stealing, on the 4th of July, 2*lbs.* weight of silk, value 1*l.* 10*s.*, the goods of John Knowles, and others.

THOMAS BRADLEY. I am porter to John Knowles and Co.—there are other persons in the firm—they are silk brokers. I went on the 4th of July to clear some bales of silk at the warehouse, No. 3, London Docks—there were fourteen bales put in a van, and the remainder in a cart—the van was to take the silk home to 26, Throgmorton-street—while I was loading the other cart with the remainder, the van that had the fourteen bales drew away—the prisoner drove it—I had ordered the van, and he came down with it—he is servant to Mary Vesters, who is a town carrier—when I had nearly loaded my cart, the prisoner was brought up to me

by a policeman, who said there was a bag of coffee found on the van, and he believed my bales had been plundered—I saw the silk taken out of his nose bag up at the gate of the dock—it was in the nose-bag of his horses belonging to the van—he was not present at that time—one of the bales had been torn open at one end, and one at the side, and they were deficient in weight—I have the dock weight, which was put down in weighing them, and I kept a strict look out after the van till we got home—I was with it all the time—I never for a moment had my eye off it, and when we got home we took the bales out, and weighed them separately—one was one pound short, and the other was two pounds short.

Cross-examined by MR. BALLANTINE. Q. This is a common carrier's cart? A. Yes—it could be hired by any body—I did not see any other person driving the van besides the prisoner, till after he was taken away—then the foreman of the docks drove it—I saw no person with it when he came down with it—none of the bales were missing, there were only two that had a hole in them—I cannot say that what ripping I saw in these two was not there before they were put in.

COURT. Q. You have told us that they were ripped open? A. There were holes in them—by being ripped, I mean having tears in them—I did not see them put in at the warehouse—those two were marked “R S 835” and “R S 870.”

JOSEPH OLNEY. I work at the silk floor of the London Docks, No. 3 warehouse—I delivered fourteen bales to Vester's van—I saw them out of the loop-hole into the van—I believe they were all sound and good, and there was no rip in them to my knowledge—if there had been a little rent in a bag, the silk would not have moved out by itself—it must have been drawn out—the skeins of silk are tied in bundles—I was not aware that they were plundered till the Monday morning—I did not see them after that—one of them weighed when they were put in 1cwt. 3qr. 23lbs.—the other 1cwt. 3qr. 24lbs.—one was numbered “R S 835,” and the other “R S 870.”

HENRY RODWELL. I am a silk broker, and am one of the firm of John Knowles and others. We sent our porter down for this silk—about five o'clock I heard that the cart had arrived—I know the quality of silk—this is the silk found in the nose-bag—(looking at it)—it is the same sort of silk as that in the bales.

THOMAS FORK (*police-constable H 57.*) I had occasion to search the prisoner's van on account of finding a bag of coffee, and concealed under some straw in the van I found a horse's nose bag with a cloth over it—I took it out and found seven skeins of silk at the bottom of the nose bag, and a cloth stuffed over it—this silk could not have got out of the bales and got into the nose bag by itself—the prisoner was the driver of the van and had the care of it—I asked him, and he said he was the driver.

Cross-examined. Q. How many other persons were there about? A. A great number about the docks—I did not see another cart belonging to the same person.

GUILTY. Aged 22. Transported for Seven Years.
(There was another indictment against the prisoner.)

1884. CAROLINE STOREY was indicted for stealing, on the 29th of May, 9 yards of bombazine, value 12s.; 4 jackets, value 16s.; 1 pair of trowsers, value 5s.; 1 pair of breeches, value 5s.; 1 pair of boots, value 2s.; 18 pairs of shoes, value 1l. 5s.; 1 sheet, value 2s.; 1 blanket, value

3s. ; and 2 pillows, value 5s. ; the goods of Nicholas Crowder ; and that she had been before convicted of felony.

ELIZABETH ANN CROWDER. I am the wife of Nicholas Crowder, and let ready-furnished lodgings, on Great Saffron hill. The prisoner occupied a room there for seven weeks—in consequence of suspicion, on the 29th of May, I went into her room, and found the things were gone, and discovered some of the tickets—some of the property is lost altogether—she paid 4s. a week.

JOHN FLAHERTY. I am a pawnbroker. I have three jackets, a sheet, a flat iron, and blanket—I cannot swear who pawned them—whether it was a man or woman—they are in the name of Smith—these are the counter duplicates of the articles.

NATHANIEL SIMMONS. I am a pawnbroker, and live in Baldwin's-gardens. I have a pair of breeches—I do not know who pawned them—this is the duplicate.

JOHN FREDERICK SIMMONS. I am shopman to a pawnbroker in Liquor-pond-street. I have two pillows—I do not know who pawned them—these are the duplicates of them.

WILLIAM STEWART (*City police-constable, No. 133.*) I found all these duplicates in the room which the prisoner occupied.

(*Property produced and sworn to.*)

Prisoner's Defence. I had some tickets to mind for a young person. I neither stole the property or pawned them. I was not aware that the property was the prosecutor's.

JOHN DAVIS WHITE (*police-constable G 46.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 22.—Transported for Fourteen Years.

(There was another indictment against the prisoner.)

1885. JAMES LISK was indicted for stealing, on the 7th of July, 1 pocket-book, value 6d., the goods of Alexander M'Donald, in a vessel in a port of entry and discharge.

WILLIAM BAIN. I am a seaman on board the ship *Susan*, which was in the East India Dock, which is a port of entry and discharge. The prosecutor is a sailor on board—I saw the prisoner in the fore-castle, at the prosecutor's chest, between three and five o'clock in the afternoon of the 7th of July—he did not belong to that vessel, and had no right there—I was close to the hatchway—I heard the prisoner break it open, which made me look down—I saw a pocket-book and something else in his hand—I called to him, and he went on the scuttle—I asked what he wanted there—he made no reply—on his coming up I asked what he had done with the pocket-book—I ran to call the lumpers from the hold, he tried to make his escape, and fell over on our fender—he was taken at last—the chest was broken open with a marline-spike.

THOMAS MURRAY (*police-constable H 134.*) I took the prisoner about five o'clock in the afternoon of the 7th of July, and charged him with breaking the chest open, and having this pocket-book in his hand, which the mate delivered to me.

ALEXANDER M'DONALD. This is my pocket-book—the chest was mine—I left it locked—this pocket-book was in it—I had gone on shore.

JAMES ROBERT WHITE. I am a Thames police-inspector. About six

o'clock in the evening of the 7th of July, I examined the chest—I saw a mark on it, and part of the lock had been wrenched off.

Prisoner's Defence. I went on board to see my shipmate. I sat down, and the witness asked me what I was doing in that chest: he came down, and took this pocket-book out of a chest, and said I had it, and I had not touched it.

GUILTY. Aged 22.—Confined Six Months.

1886. HENRY WILLIAM WOODWARD was indicted for embezzling, on the 4th of July, 59*l.* 1*s.*, the monies of Henry Cliff; and ANTHONY RYAN for feloniously receiving, harbouring, and maintaining him, knowing him to have committed the said felony; to which

WOODWARD pleaded GUILTY. } Confined Six Months.
RYAN pleaded GUILTY. }

1887. THOMAS ATHERTON was indicted for stealing, on the 7th of July, 1 necklace, value 2*s.*, the goods of Walter John Russ; and that he had been before convicted of felony; to which he pleaded

GUILTY.—Transported for Seven Years.—Convict Ship.

1888. THOMAS BIGGS was indicted for stealing, on the 27th of June, 1000 bricks, value 1*l.* 15*s.*, the goods of Thomas Walter Vine, his master.

THOMAS WALTER VINE. I am a builder. The prisoner carted bricks for me—on the 29th of June, I was at my buildings about ten o'clock in the morning—I told the prisoner to go to the field, and cart 2000 stock bricks—another carman went with him—I waited there three quarters of an hour—the prisoner came in with a load of bats, which had nothing to do with the order I gave him—the other carman brought in 500 stock bricks—he unloaded to go to fetch the others, as I supposed—I returned about six o'clock in the evening, and while I was standing I observed the prisoner going along the Kingsland road with a load of bricks—I had previously ascertained that he had only delivered one load of bricks on my premises—a thought struck me that something wrong was going on—I went to the field to ascertain how many bricks he had drawn—the kiln-man was gone, but I found that 2000 bricks had been had out of the field—next day I received information, and found 500 bricks at a house occupied by one of my labourers, 500 yards from my buildings—I went to the station-house, and gave the prisoner into custody—the bricks, I found, were part of what were booked to me—the cart was the prisoner's brother's.

Cross-examined by MR. PAYNE. Q. Had the prisoner been in the habit of carting bricks for you? A. Yes, for the last two years—his brother is the prisoner's master—I do not pay the prisoner any wages—I ascertained that the whole of the bricks had not been delivered at my premises, from what I had got on the premises—I did not count them, but I could tell whether 2000 or 1000 had been delivered—I had 4000 or 5000 there—I could tell from the general appearance—the prisoner was not my servant—when the bricks got into the cart, I considered myself liable to pay for them.

WILLIAM CASTLEMAIN. I am kiln-man at Mr. De Beavoir's field at Hackney. On the 27th of June the prisoner came to me for 2000 stock bricks for Mr. Vine—there was another cart had 500, and the prisoner took three 500's, which made the 2000—I saw him take them—the last load was five or six minutes past six o'clock.

Cross-examined. Q. Did you deliver the last 500 to the prisoner himself? A. Yes—no one was with him when he drove them away—he took some bats in the morning.

MATTHEW NICHOLSON. I keep the Victoria public-house. On the Monday evening, from six to seven o'clock, the prisoner passed my house with some bricks in a cart—he stopped at Brown's, the fourth door from my house, shot them out, and called to me to bring him a pot of beer—I took it—he said, "You may as well fetch us another"—I said, "What are you going to build?"—he said, "I have got some pigs I don't know what to do with; I have taken part of Brown's premises, and am going to build a sty."

WILLIAM CHAMBERS (*police-sergeant R 18.*) I took the prisoner on the 30th of June—Mr. Vine charged him with stealing 1000 bricks—he seemed surprised, but at the station-house he stated that the whole of Mr. Vine's bricks were delivered on his premises.

GUILTY. Aged 38.—*Recommended to mercy.*—Confined Two Months.

1889. MARY MURPHY and MARGARET MURPHY were indicted for stealing, on the 1st of July, 4 handkerchiefs, value 2s. 2d., the goods of Charles M'Quin.

ELIZABETH CARR. My husband is a marble-paper maker; I live opposite to Mr. M'Quin, a linen-draper, in Banner-street, St. Luke's. On the 1st of July, about five o'clock, I saw a young man come by the prosecutor's, and the two prisoners followed him—in about five minutes they all came back again, and I saw the young man take particular notice of these handkerchiefs, which were on the railing at the prosecutor's door—they were red and yellow—he took them up and looked at them—the prisoners then came up and pointed at the caps in the window, and, between whiles, I saw them take one pin out of the handkerchiefs, and every time they did so they turned round to the butcher's shop, to see if any one was looking at them—it was Margaret Murphy who took the four pins out, and put them in her mouth, then Mary took the handkerchiefs and put them under her shawl—they then walked off—I ran down as soon as I could get my baby's things on—I went to Mr. M'Quin's—there was no one at home but his wife, and she could not leave the shop—while we were talking, Mr. M'Quin came in, but they had then got away—I am certain the prisoners are the persons—I pointed them out on the Thursday following, when they came past the same house again, but they were not taken till eleven o'clock at night.

CHARLES M'QUIN. I am the owner of the shop. I had some handkerchiefs there—I missed four red and yellow ones off the rail when the witness drew my attention to them—they are lost altogether.

DANIEL COLLINS (*police-constable C 63.*) I took the prisoners last Thursday night on another charge.

Margaret Murphy's Defence. It is all false; we went into the Shepherd-and-shepherdess-fields at half-past four o'clock, and it was half-past six when we came back.

(Margaret Murphy received a good character.)

MARY MURPHY—GUILTY. Aged 16.—Confined Six Months.

MARGARET MURPHY—GUILTY. Aged 16.—Confined Three Months.

1890. HENRIETTA PIPER was indicted for stealing, on the 8th of July, 1 pair of boots, value 4s. 6d, the goods of John Walter.

JOHN LOADER. I am shopman to Mr. John Walter, a pawnbroker, living in Goswell-road. On the 8th of July I saw the prisoner outside the shop—she began pulling every thing about—she took up a pair of boots, put them under her shawl, and began to walk away—I asked what she had got—she made no answer—I opened her shawl, and found the boots.

JOSEPH MILLGATE. I took the prisoner into custody.

Prisoner's Defence. I took them up to look at.

(The prisoner received a good character.)

GUILTY.—Aged 21. Confined Six Weeks.

1891. GEORGE BUTLER was indicted for stealing, on the 19th of June, 2 flannel petticoats, value 2s. ; and 1 dressing-gown, value 8s. ; the goods of James Domonie ; and that he had been before convicted of felony.

WILLIAM ROSS (*police-constable D 157.*) At half-past four o'clock in the morning of the 19th of June I was in Hill-street, Mary-le-bone, and saw the prisoner coming out of No. 14, carrying this basket—I asked what he had there—he said he lived at that house, No. 14—I took him back there, called the landlady up, and asked whether he lived there—she said he did not, but he had lived there twelve months ago—I asked if her things were all right—she said she would get up and see—while this was going on, the prisoner turned and ran away—I overtook him, and took him to the station-house—I went back, and the witness found in this basket this dressing-gown, wet—I took it to the station-house, and asked the prisoner if it was his—he denied it—I asked where he lived—he said he was destitute, and had slept the last night in an omnibus—I found he lived in William-street, Lisson-grove—I went there—the landlady said he lived down in the back-kitchen—I went down there, and found these two flannel petticoats.

MATILDA DOMONIE. I am the daughter of James Domonie ; we live at No. 14, Hill-street. On the 20th of June, when the policeman came, we were all asleep, and he knocked us up—I went out into the yard, and found this dressing-gown in the basket—the gown had been in a tub of water in the yard—the basket is not ours, it is the prisoner's—these petticoats were missing also—they are my mother's, and had been hanging in the yard—the prisoner lodged in our back-parlour a year ago.

ANN HANSON. I am a washerwoman. I washed this gown and these petticoats for the prosecutor, and left the gown in a tub of water, and hung the petticoats up, about ten o'clock at night on the 19th of June—this basket I never saw before.

WILLIAM CLARK. I rent the house, No. 25, William-street, Lisson-grove—the prisoner lodged in that house.

Prisoner. He is only a lodger there himself ; there were other people lodged in the prosecutor's house.

GEORGE HEALEY (*police-constable D 42.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—I was at the trial—the prisoner is the person who was tried.

GUILTY. Aged 58.—Transported for Seven Years.

1892. WILLIAM MORRIS was indicted for stealing, on the 2nd of

June, 2 handkerchiefs, value 6s., the goods of John Hatton, from his person; and that he had been before convicted of felony.

JOHN HATTON. I am an upholsterer. On the 2nd of June I was at the Marquis of Anglesea public-house, at the corner of William-street, Marylebone. I went in between four and five o'clock to take a pint of porter—I entered into conversation, and soon after I put my hand into my pocket, and missed two handkerchiefs—I made it known that I had been robbed, but by whom I did not know—my handkerchiefs are lost altogether.

WILLIAM HENRY MAYBANK. I am a servant out of place. I was at the Marquis of Anglesea public-house talking with the prosecutor—I saw the prisoner come in at the side-door, and take a handkerchief out of the prosecutor's pocket—I only saw him take one handkerchief—he winked at me, and smiled at the same time—the conviction on my mind was, that it was a joke, because the room was full of people—no one noticed him, but myself—he went out again immediately.

EDWARD HURCOMBE. I keep a cheesemonger's-shop, opposite the public-house—I do not remember the day, but about a month back I was standing at my door, and saw the prisoner come out of the public-house with two handkerchiefs in his hand, and he was trying to put them into his pocket—he ran down the street, and as he ran they both fell out down the lining of his pocket—I called to him—he came back, picked them up, and ran away again—I am sure he is the person—I went over and spoke of it, and the prosecutor said he had lost his handkerchiefs.

GEORGE HEALEY (*police-constable D 42.*) I took the prisoner last Sunday night, a little before twelve o'clock, in Oxford-street—he dropped down his head when he saw me—I turned back, and followed him—I tapped him on the shoulder, and said, "*Dumpey*, I want you for the two handkerchiefs stolen at the Marquis of Anglesea"—he said, "I know nothing about them"—as we were going along he said, "Will they *floor* me this time?"—I said, "I don't know"—he said, "I don't care if they do, I can do no good in this country."

JOHN TURNER (*police-constable D 39.*) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 20.—Transported for Fourteen Years.

1893. HENRY WILLIAMS was indicted for an assault on Emily Beecham, with intent, &c. NOT GUILTY.

1894. RICHARD LEWIS was indicted that he, on the 3rd of July, in and upon Henry Evans, feloniously did make an assault, and feloniously did attempt to discharge at and against him a certain blunderbuss, loaded with gunpowder, and divers leaden shots, with intent feloniously, wilfully, and of his malice afore thought, to murder him:—2nd COUNT, stating it to be with intent to maim and disable him, or do him some grievous bodily harm.

HENRY EVANS. I live in Myddleton-street, Clerkenwell. The prisoner is my brother-in-law—he came to my house on Friday night, the 3rd of July, about six o'clock—he asked me for some title deeds, which I had for security—he said he wanted them—they were the leases of some property, at Bermondsey—I said it was no use making words about them; I could not let him have them till I saw myself righted for the two bills

that I was liable for—he rose up and said, “Then you are a dead man”—he had a great coat on his arm, he unfolded it, and took out a blunderbuss—I saw him take it from the coat—he could not get it out readily—there was some little difficulty—he held it with both his hands—he was on the opposite side of the room to where I was—the muzzle of the blunderbuss was towards the side of the room where I was, but it was not pointed at me—it was not up at his shoulder—it was as low as a person could hold it—a person who was near him seized him by the two arms, and I rose from my chair, seized him by the collar, and threw him down on the sofa—he was secured—the blunderbuss was never pointed towards me—whatever the prisoner’s intention was, it was prevented by Haslehurst laying hold of him—I cannot say whether the blunderbuss was thrown down or not—Mrs. Evans took it, but whether from the prisoner’s hand or not I cannot say—this is the blunderbuss—(*looking at it*)—I did not see it unloaded—as soon as the inspector took it he found there was no flint—I looked about, and found the flint between the lining in the inside of the great coat—it is a ragged flint—when I had hold of the prisoner on the sofa he said, “Don’t send me to prison.”

WILLIAM PENNY. I am a police-inspector. I was called in, and examined this blunderbuss—it was primed and very heavily loaded with 297 large shots in it—(No. 1)—there was no flint in it—the flint was discovered in the lining of the coat.

SAMUEL HASLEHURST. I am the son-in-law of Mr. Evans. I have heard his testimony—it is true—before the blunderbuss was pointed at him I seized the prisoner, and prevented his doing any thing.

NOT GUILTY.

ESSEX CASE.

Before Mr. Justice Patteson.

1895. CONSTANTINE SULLIVAN was indicted for rape.

GUILTY. Aged 41.—Death recorded.

KENT CASES.

Before Mr. Common Sergeant.

1896. ELIZABETH BARNETT was indicted for stealing, on the 21st of June, 1 watch, value 3*l.* 10*s.*; 1 watch-ribbon, value 6*d.*; 1 seal, value 1*l.*; 1 watch-key, value 10*s.*; the goods of Daniel Paterson, from his person; and SARAH SMITH, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

DANIEL PATERSON. I am a builder. About midnight, on the 21st of June, I was at Greenwich—I had been to Woolwich, and came with two friends to go by the railroad—two girls accosted us—they left us, and proceeded to Greenwich, and we to London—in about a quarter of an hour a man asked me the time, and then I found I had lost my watch—I could not say that either of the prisoners were the girls, but I went across the road with some friends, and some women stood talking with me for some time.

JOHN DOWSON. I am a pawnbroker, and live at Greenwich. This

watch, seal, and ring I received from the prisoner Smith on Monday, the 22nd of June—she asked me to lend her as much as I could—I told her to name some price—she named a sovereign—I suspected that they were stolen, and requested to know whose they were—she said her brother's—I referred to our book, and found a description of the watch—I then asked her into a room, and she said that Barnett gave it to her—I detained her, and sent for Barnett, and asked if she had sent Smith—she said she had—Smith gave me every information to find Barnett.

JOHN BOVIS (*police-constable R 139*.) I asked Barnett if she had sent a girl to pawn a watch—she said, "Yes," a man she was with last night left it with her, and then she said she took it from a man because he gave her no money.

Barnett's Defence. I met the prosecutor, and he took me into the North Pole public-house, and gave me something to drink—there was another girl with me, not Smith—there was another gentleman, who gave me something to drink, and then the prosecutor took me across the road up a lane, and gave me his watch to pawn, and said he had no money—I was to meet him, and give him the ticket.

NOT GUILTY.

1897. HENRY NICHOLLS was indicted for embezzling, on the 30th of May, 3s. 2½d., and on the 6th of June, 15s. 6½d. and 4s. 3d.; the monies of William Pembroke; to which he pleaded

GUILTY. Aged 28.—Confined Three Months.

1898. DAVID BARRY was indicted for stealing, on the 20th of June, 8lbs. weight of beef, value 4s., the goods of George Beale; and that he had been before convicted of felony.

GEORGE BEALE. I am a butcher, and live at Deptford. On the 20th of June I lost a brisket of beef from the shop window—I do not know what has become of it.

Prisoner. Q. Did you see me about? A. No.

JEREMIAH M'CARTHY. I am a labourer. About five o'clock in the evening of the 20th of June I was walking down King-street, and saw the prisoner with a basket—he took the beef off the board outside, and I saw no more of him—I knew him before.

JOHN ENRIGHT. I was with M'Carthy, and saw the prisoner take the meat off the window.

Prisoner. You have been convicted here before for the murder of a policeman at Deptford. *Witness.* I was tried here, and got one month's confinement.

Prisoner's Defence. M'Carthy said he did not know whether it was beef or mutton, he was twenty yards from me.

BENJAMIN LOVELL (*police-sergeant R 15*.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Wild's office at Maidstone—(*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Seven Years.

1899. PETER JACKSON and JOHN CASSIDY were indicted for a misdemeanor.

MESSRS. ESPINASSE and LUCAS conducted the Prosecution.

WILLIAM GREGG. My father keeps the Plough public-house at Lewisham. On the 27th of June, about two o'clock in the day, Jackson came to my father's house, and called for half-a-pint of beer—he tendered a sixpence—my sister took it up, and showed it to me—I said it was bad, and

returned it to the prisoner—I followed him out, and saw the other prisoner in company with him—they seemed to me as if talking together—they left, and Jackson went to Mrs. Jupp's, and from thence to Mrs. Crafter's—Cassidy went on towards town—I saw Jackson come out of Jupp's, and then go to the Hope public-house, then Jackson came out and overtook Cassidy in the road, and they went on in company together—I went to Mr. Crafter's, and he was marking a sixpence—the prisoners were taken sitting down in the road at New Cross.

MARIA CRAFTER. On the 27th of June, Jackson came to my husband's house, and called for half-a-pint of beer—he gave me a sixpence—I threw it into the till with some halfpence, and afterwards found it was bad.

WILLIAM CRAFTER. On the 27th of June, Jackson came to my shop—he called for half-a-pint of beer—a little girl served him—my wife took the sixpence in my presence—he received 5*d.* in coppers, and went away—the sixpence was put into the till with some halfpence—I gave it to the policeman after marking it.

RICHARD PORTSMOUTH. I keep the Bricklayers' Arms public-house at Deptford New Town. On the 27th of June, Jackson came to my house about three o'clock, and called for half-a-pint of porter—he gave me a counterfeit 6*d.*—I bent it, gave it to him back, and told him it was bad—he left the house, and went in the direction of the London-road, towards London—I did not see Cassidy.

GEORGE EVE (*police-constable R 126.*) On the 27th of June, from information I went after the prisoners on the London-road, towards New Cross—they were together sitting on one side of a bank—I found four counterfeit sixpences in Cassidy's right-hand pocket, and 9*s.* 10*d.* in silver in his fob, which was good, and 2*s.* 5*d.* in copper in his left-hand pocket.

EDMUND COX (*police-constable R 206.*) I went with Eve and saw him search Cassidy—I found some halfpence on Jackson.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. All these sixpences are counterfeit and cast in the same mould.

Jackson's Defence. We met together on the road, and found the sixpences wrapped in a bit of rag.

JACKSON—GUILTY. Aged 18.	} Confined Six Months.
CASSIDY—GUILTY. Aged 23.	

1900. JOHN MALLAM was indicted for stealing, on the 4th of July, 1 coat, value 10*s.*; the goods of Isaac Barnett.

ISAAC BARNETT. I live at Woolwich, and deal in clothes. I lost a coat—I saw it on the 4th of July before the Magistrate—this is it—(*looking at it.*)

WILLIAM BREMMER. I am a pawnbroker and live at Woolwich. This coat was pawned with me on the 25th January, by Mary Ann Perry.

MARY ANN PERRY. Eliza King, who lodged in my house, asked me to pledge the coat—I was not aware who it belonged to.

ELIZA KING. I lodge in Perry's house—I gave her the coat to pawn—I received it of the prisoner.

ISAAC BARNETT *re-examined.* I had seen this coat safe about Christmas, and missed it in April—I cannot tell when I lost it.

Cross-examined by MR. BODKIN. Q. What are you? A. I deal in
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clothes—I have not been trying to make money of this—the prisoner's parents offered me money, but I refused to take it—they came to George Darby, a publican—I said I was not going to take any money—I did not say that I wanted 3*l.* for the clothes I lost and 2*l.* for my trouble—I never said so to the prisoner's father and mother, nor any thing to that effect—they said they would pay me, but I did not demand any thing of them—the first offence the prisoner committed I forgave him—I did not apply to the prisoner's mother and offer to forego any prosecution if she would pay me 5*l.*—she asked me if I would take 5*l.*—she did not say it was impossible she could raise it, and ask why I wanted so much—she said she would get money if I would take it—I did not apply to the prisoner's father, and want 5*l.* to make up this matter—his father did not tell me it was quite out of his power to do it, as his family consisted of himself, his wife, and eleven children, and he had only 17*s.* a week—he did not say so to my recollection—I cannot swear that he did not.

ROBERT HAMBLING (*City police-constable No. 539.*) I went and took the prisoner on board the *Vesper* steam-boat—he said he took a coat and pair of trowsers and sent them to pawn, and he intended to make it up on the following Saturday—he wished to make up the matter with Mr. Barnett.

Cross-examined. Q. Did you say any thing to him? A. No—the prosecutor was with me—the prisoner wished to speak to him—he began crying, and said that.

GUILTY. Aged 20.—*Recommended to mercy by the Jury.*—Confined Three Days.

Before Mr. Sergeant Arabin.

1901. JOHN MARSH was indicted for stealing, on the 26th of June, 2 loaves of bread, value 10*d.*; the goods of George Roberts.

JOHN TYER. I am a drummer in the Royal Marines at Woolwich. On the 26th of June, between four and five o'clock in the afternoon, I saw the prisoner go to the baker's barrow, lift up the sack, and take two half-quartern loaves out, he put them in a bag, put them on his shoulder, and went away—I saw Mr. Roberts and told him.

GEORGE ROBERTS. I am a baker. I had my barrow at the corner of a street in Woolwich—I left for a few minutes—the witness told me what had happened—I lost the loaves altogether.

GUILTY.* Aged 21.—Transported for Seven Years.

1902. CHARLES CHAPMAN was indicted for stealing, on the 6th of July, 1 breast-pin, value 20*s.*; the goods of John Eames, from his person.

JOHN EAMES. I am a printer. On the 6th of July I was on board a steam-boat returning to town—this occurred at Woolwich—there were a great many people on board, and a great pressure—the prisoner was close to me—I had a gold breast-pin in my shirt, set with pearls and hair inside—it was fastened in my shirt—it was an old pin, and had a worm round it that held it in tightly—I felt a twitch and missed it from my shirt—I turned and told the prisoner I did not wish to say that he had robbed me, but I believed he had my pin—I collared him at the time, but I left him for two or three minutes, while I went to the gangway to see for an officer—I could not find an officer, and when I returned, the prisoner offered to be

searched by the captain—when we arrived at Hungerford stairs I took him to Bow-street myself—I have never found the pin.

Cross-examined by Mr. PHILLIPS. Q. Did not the prisoner seem very much surprised? A. Yes; there was nothing to prevent my searching him at the moment, but I did not choose to do it—the captain searched him, but did not find it—I asked him for his address, which he gave, and the policeman went there—there might be, perhaps, 100 persons or more on board—I accused him before all the people.

LOUISA KRUZKOPH. I live in Yardley-street, Wilmington-square. I was on board the steam-vessel—I saw the prisoner put his hand to the prosecutor's breast, he had his handkerchief in his hand at the same time—the prosecutor said, "I have lost my pin"—the prisoner said, "I hope you don't mean to say that I have it"—the prisoner then went, and put his hand down by the side-table, while the prosecutor went for an officer; and when he came back the prisoner said he was willing to be searched.

Cross-examined. Q. Did you say one word about it at the time? A. No—I said before the Magistrate that the prisoner put his hand down by the side of the table.

JAMES LEWIS ASHMAN (*police-constable F 119.*) I took the prisoner.

Cross-examined. Q. Were you the officer the prisoner gave his address to? A. It was given to the messenger—he found it correct.

NOT GUILTY.

1903. ANN WOODWORTH and MARY GOLDSMITH were indicted for stealing, on the 7th of July, 1 coat, value 5s., the goods of Samuel Gooch.

SAMUEL GOOCH. I live at Deptford. I am in no business—I lost my coat from the back-parlour of the Freemason's Arms public-house—I went up stairs there, for about twenty minutes, and when I returned it was gone—this is it—(*looking at it*)—it was brought back to me by Woodworth's daughter—the prisoners are strangers to me.

JOHN CONLAY. I was at the Freemason's Arms public-house—I saw both the prisoners there, whether they came in at the back or the front I do not know—Woodworth had the coat, and they went by the tap-room door where I was.

ANN WELCH. My husband is a gardener. The prisoner Woodworth is my mother—she came to my house, and Goldsmith was with her—Goldsmith had this coat in a basket in her hand—I asked who it belonged to—she told me to put it down—I had not put it down ten minutes before there was a knock at the door, and it was a woman, named Barrowcliff, where my mother lives, and I gave the coat up.

JOHN EVANS (*police-constable R 130.*) I took Goldsmith—I asked if she knew any thing of the coat stolen from the Freemason's Arms public-house—she said she knew nothing of it, that she had been there in company with Woodworth.

BENJAMIN LOVELL (*police-sergeant R 15.*) I took Woodworth—I said it was for stealing a coat from the Freemason's Arms public-house—she said, "I know all about it, Mrs. Goldsmith took it off the table and gave it to me, and we both went to my daughter's with it."

Goldsmith's Defence. I never saw the coat.

WOODWORTH*—GUILTY. Aged 53.—Confined Six Months.

GOLDSMITH—NOT GUILTY.

SURREY CASES.

Before Mr. Recorder.

1904. WILLIAM PRICE was indicted for burglariously breaking and entering the dwelling-house of George Barnett, at Christchurch, about the hour of one in the night, of the 1st of July; with intent to steal and stealing therein, 1 handkerchief, value 2s. 6d., and 1 watch, value 2l.; his property: to which he pleaded

GUILTY.—Transported for Ten Years—Isle of Wight.

1905. JAMES DURRANT, JAMES GIBSON, GEORGE CRUTCHLEY, CHARLES CHAMBERLAIN, and MARY DURRANT, were indicted for a conspiracy.

(No evidence was offered against Mary Durrant, who was acquitted; the other prisoners pleaded guilty, and entered into their own recognizance to appear for judgment, when called on.)

1906. JAMES GAREY was indicted for burglariously breaking and entering the dwelling-house of Isaac Loveridge, about the hour of four in the night, of the 26th of June, with intent to steal.

ISAAC LOVERIDGE. I live in Price-street, in the parish of Christ Church, Surrey, just over Blackfriars-bridge. On the 27th of June I went out at twenty minutes before four o'clock in the morning—the house was safe then—I opened one shutter to give me light to put my things on—I shut it too again, and left the doors and windows and every thing fast—there is a chain inside the window—I do not know whether it could be shaken down or not.

MARY ANN GROVES. I am the wife of James Grove, a gas-lighter, in Dyer's-buildings, Gravel-lane. On the 27th of June my husband was taken very ill, and I went to get another man to do his work—I went down Guilford-street, to the Phoenix Gas Company—as I was coming home, I came up Price-street, and saw the prisoner on the window-stone of the prosecutor's house—the window was up as far as it would go, and his body was in as far as his waist—I stepped on the pavement, and the prisoner jumped down, and went down Goodwin-court—I turned round and saw him watching me, and called “Stop thief”—I never lost sight of him till he was taken.

Prisoner. Q. When you saw me walking up Price-street, you were walking down? A. I saw you in the window—it is a parlour-window—I do not know how high it is—I passed him first in Guilford-street—he appeared to be intoxicated, and pushed against me, and nearly *shoved* me down—I should not have known him again but for that.

HENRY BISPHAM (*police-constable M 61.*) I was on duty in Church-street, Blackfriars—on the 27th of June, about a quarter before four o'clock in the morning, I heard the cry of “Stop thief”—the prisoner was running, and Mrs. Grove after him—I took him into custody.

Prisoner's Defence. I know nothing about it; I was walking up the street, going to Mr. Serle's, the broker's, who was to give me an answer whether I was to go to work for him or not.

ISAAC LOVERIDGE *re-examined.* It was the shutter of the window which was entered that I opened—there was no mark of any instrument having been used to it.

GUILTY. Aged 22.—Confined One Year.

1907. JOHN COLLINS and JAMES BROWN were indicted for burglariously breaking and entering the dwelling-house of James Lawrence, about the hour of one in the night of the 19th of June, with intent to steal, and stealing therein, 1 sack, value 1s.; 2 coal-scuttles, value 2l. 10s.; 1 scoop, value 4s.; 2 kettles, value 10s.; 1 pair of shoes, value 3s.; 1 towel, value 1s.; 1 flat-iron, value 6d.; $\frac{3}{4}$ lb. weight of soap, value 6d.; and 2 table-cloths, value 10s.; the goods of said James Lawrence.

ANN LAWRENCE. I am the wife of James Lawrence, and live at No. 9, Garden-place, Peckham; we occupy the whole house, and let apartments. On Saturday morning, the 20th of June, upon getting up and opening the kitchen-door I perceived the cellar-flap open, and a rushlight lying on the coals—I missed a sack, which we wiped our feet on, and the other articles stated, all from the cellar, which is under the parlour, and is part of the house—I had seen the articles safe at a quarter-past ten o'clock the evening before—they were worth between 4l. and 5l.—the flap was shut at a quarter-past nine—it is kept down by its own weight—I am not sure that it was bolted, but I know it was shut—there is a door at the top of the cellar stairs, by which we go into the cellar—that was bolted over night, and I found it in the same state in the morning, but the sack, and several things which had been close to that door on the stairs, were taken away—the persons must have got down the cellar-flap, which is in the back-garden—they could then get into the cellar, and into the rest of the house, but for the door at the top of the cellar-stairs, which was bolted—I discovered this at six o'clock, as near as possible—I am not sure whether it had gone six o'clock or not—I rather think it had—I afterwards saw the spot where the things were found—it is about half a mile from our house—I do not think the articles could have been removed that distance after I got up—it would not take five minutes to remove them.

Cross-examined by Mr. BODKIN. Q. How many lodgers have you? A. I have one lady and a lady and gentleman—they occupy different apartments—there was nothing of theirs in the cellar—they had the use of the cellar if they chose—the flap was always open in the day-time, to let air and light in—I always had it shut at dusk—I generally shut it myself, or else my little girl did—she is ten years old—I shut it down about nine o'clock that night—I do not know whether it fastened itself or not, but the bolt goes easily, and drops into its place, if the flap is let down heavily—my little girl sometimes opens it, the lodgers have nothing to do with it—after nine o'clock we have no occasion to go into the cellar—my little girl goes to bed about ten o'clock—the rushlight I found was burned about an inch—I had not left it in that state—it had been cut from a lot which were hanging at the top of the cellar stairs.

WILLIAM COTTON (*police-constable P 62.*) I was called to the house of Mr. Cook, whose premises adjoin Mr. Lawrence's, in Peckham-lane—I afterwards examined Mr. Lawrence's premises, and followed the traces of foot-marks across Mr. Cook's premises, across some fields, leading to the Asylum-road—the traces led me up to a hedge alongside the road, in which I found two copper coal-scuttles, a copper scoop, two kettles, one pair of shoes, a towel, and a flat-iron—they were on the field side of the hedge—I did not lose the traces on the road, as it was all across garden-ground—I got the assistance of Hall, another constable, and we hid ourselves behind a hedge on the opposite side of the road—about nine o'clock the prisoners came with a truck—Brown got down into the

ditch, drew the things through the hedge, and handed them to Collins, who put them into the truck in this bag—we then came over the hedge—I took Collins into custody, and Hall took Brown—we took them and the property to the station-house—Collins said he saw the things in the hedge, and thought he might as well take them away as any one else—we had been concealed about two hours and a half—the property was deposited in two different places—one parcel a person might see from the road-side, and I cut a bough and put before it, so that no one might see them from the road—they were not visible from the road, from that time till the prisoners came up—they brought the truck on the road side, and pulled the things through the hedge—they did not go into the field to get them.

Cross-examined. Q. What sort of a bough was it you put there? A. A small branch, which I cut from another part of the hedge—it would not cover all the things, as they were not all in one place—there were some in another place which it was not necessary to cover—I left them as they were—they were within two or three yards of the other, it was an elder-hedge—the tracks led me to the spot—I was on the field side, and walked along the hedge—I discovered them about half-past six o'clock—the prisoners brought the truck on the high road, about nine o'clock, or a little after.

WILLIAM HALL (*police-constable P 78.*) I was called by Cotton on the morning in question. I took Brown into custody, and afterwards went back to the place, and found this tea-kettle in the same spot where the other property was—I searched Collins at the station-house, and found a lucifer-box on him, and a piece of wire, which is bright at one end.

Brown's Defence. I was coming along with the truck, and saw the things through the hedge, and said, "Here is something;" I pulled them through, and said, "What shall we do with them." Collins said, "Suppose we go and take them to some policeman." I said we would—we looked further, and saw another lot; I was pulling that out when the policeman came, caught hold of me, and took us to the station-house for stealing them.

COLLINS—GUILTY. Aged 34. }

BROWN—GUILTY. Aged 19. }

Transported for Ten Years.

(There were two other indictments against the prisoners.)

1908. JAMES RICKSON was indicted for breaking and entering the warehouse of Thomas Savage, on the 18th of June, at St. Mary, Rotherhithe, and stealing therein, 1 clarinet, value 30s., the goods of Henry Mason Charlton.

ANN LOVELL. I am the wife of William Lovell, and live in Flagon-row, Deptford. On the afternoon of the 18th of June, the prisoner came to our shop, and offered a clarinet for sale at 2s.—I was not aware of the value of it, and took it to Mr. Greenly's, the pawnbroker, to ask him the value—I told him what it was offered to me for, and in consequence of what passed I left it with him, and returned with his young man and a policeman—I found the prisoner in my shop, and he was taken into custody—I had only known him a few weeks—I had bought several articles of him—he said the clarinet was his own—the other articles he had said were his aunt's.

HENRY MASON CHARLTON. This is my clarinet—I bought it in Cornhill for 2l. 12s. 6d.—I kept it locked in a chest of drawers in a warehouse belonging to Thomas Savage, my master, of which I had the key—it is in

the parish of St. Mary, Rotherhithe, there was no appearance of the door having been broken—they must have got in at the window, which had wooden bars up and down, and a shutter inside—I found it all pushed away, and a space through which a man could get—the drawers were forced open, and property gone, worth 20*l.* or 25*l.*, consisting of wearing apparel, and other things—I have known the prisoner from a boy, and have seen him five or six times a day—I do not think I had seen the clarionet for six or seven years—when the policeman brought it to me, I thought it could not be mine, thinking I had got mine safe, but when I went to look, it was gone—every thing had been locked up, and enclosed, and I had never opened the drawers for six years—I go past the place every day, but had not been inside it for five weeks before—every thing was safe and secure then—the window is fifteen feet from the ground—the place was all locked up—the lower part is a brick building with iron bars—some of the things belonged to my sister, and when she died, I deposited them all in my master's warehouse, with things of my own as well—they were gone also.

BENJAMIN HASELDINE. I am a pawnbroker. Mrs. Lovell brought this clarionet to me—I gave it to the policeman.

GEORGE JAMES HOULDRIGHT (*police-constable R 116.*) I received the clarionet from Haseldine, at Mrs. Lovell's, and took the prisoner into custody—he said he had bought it in the Borough three years ago, for 7*s.* 6*d.*—I have examined the warehouse where this was taken from, and found marks on the boarding under one of the windows—the window had the appearance of having been forced—the locks of the chest of drawers were broken out, and the backs of the drawers broken in.

GUILTY.* Aged 20.—Transported for Ten Years.

Before Mr. Common Sergeant.

1909. WILLIAM GOVE was indicted for bigamy; to which he pleaded **GUILTY.** Aged 34.—Confined Six Months.

1910. ANN HART was indicted for stealing, on the 19th of June, 2 collars, value 3*s.*; 1 cape, value 1*s.*; 1 handkerchief, value 1*s.*; 1 apron, value 4*s.*; 1 frill, value 6*d.*; $\frac{3}{4}$ of a yard of needle-work, value 3*d.*; 1 tippet, value 6*d.*; 1 cap, value 6*d.*; 1 sheet, value 6*d.*; $\frac{1}{2}$ yard of linen-cloth, value 3*d.*; 1 yard of printed cotton, value 6*d.*; and 5 ounces weight of metal type, value 9*d.*; the goods of John Needham, her master.

JOHN NEEHDAM. I am a printer, and live in Princes-road, Lambeth—the prisoner was in my employ. On the 19th of June I sent for a constable, he in my presence searched the prisoner's box, and a quantity of type, some lace collars, a tippet, and other things, were found—this type is mine—(*looking at some type.*)

Cross-examined by MR. BALLANTINE. Q. What is the value of the type? A. 10*d.* or 1*s.*, it could not be parted with for that—I know it to be mine—the prisoner had been in my employ three weeks—we were to pay her 5*l.* a year in monthly payments, I suppose, but it was not specified—there was nothing said about weekly payments—nothing has been paid her—she had not been long enough—we found her so bad after a week, that we were obliged to give her warning.

MATILDA NEEHDAM. All these things are mine except the socks—I have no doubt of them.

Cross-examined. Q. What may be the worth of the whole? A. This

collar is worth 5s.—I have scarcely worn it—I had not been to the prisoner's box myself—it was never left open.

WILLIAM CLARK. I am a policeman. I searched the box—the prisoner told me to break it open, as she could not find the key—I found these things in it.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Three Months.

1911. MARY CUNNINGHAM was indicted for stealing, on the 5th of June, 1 pair of boots, value 4s. ; 2 knives, value 1s. ; 2 forks, value 1s. ; 1 shift, value 2s. ; 1 flannel-petticoat, value 2s. ; 1 towel, value 6d. ; 1 napkin, value 6d. ; 2 pairs of stockings, value 6d. ; and 1 handkerchief, value 6d. ; the goods of Charles Henry Paddon, her master : and that she had been before convicted of felony.

CHARLES HENRY PADDON. I live in Waterloo-road, Lambeth. The prisoner was in my service, and left without notice, on the 5th of June—I found her again on Friday the 12th of June—I missed a pair of boots, and these other things—these are them—(*looking at the property.*)

WILLIAM PRICE (*police-sergeant L 11.*) I took the prisoner on the 12th of June—I asked what she had done with these things—she said some she had pawned, except the boots—I found some things at the pawnbroker's, and some things were in a bundle she had sent to her mother, who would not take them in—it was brought to the station-house, and the prisoner picked out Mr. Paddon's things there.

RICHARD FISHER. I live in Westminster Bridge-road. I produce a petticoat and shift which were pawned with me on the 6th of June, by the prisoner.

(*Property produced and sworn to.*)

WILLIAM PRICE (*police-sergeant L 11.*) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 16.—Transported for Seven Years.

1912. GEORGE DEAN, *alias Henry Walker*, and WILLIAM HINES were indicted for stealing, on the 4th of June, 1 handkerchief, value 2s., the goods of James Hodgson, from his person.

JAMES HODGSON. I keep the Perseverance public-house. I was walking in the Walworth-road with two females, on the 4th of June, a person came and told me something—I felt, and missed my handkerchief—he pointed out the two prisoners—he seized one, and I the other—I seized Hines, and his hat fell off, and shortly after the officer produced these three handkerchiefs—this is mine—(*looking at one.*)

Dean. Q. How do you know it? A. There is no mark on it, but I am quite confident it is mine.

JAMES BROOKS (*police-constable L 118.*) I was on duty between ten and eleven o'clock that evening, and saw the two prisoners—I thought it necessary to watch them—I saw Dean take a handkerchief from the prosecutor's pocket—they turned back—I spoke to Goff to watch them while I spoke to the prosecutor—the handkerchief that Dean took from the prosecutor was like this one—what he did with it I cannot tell.

Dean. Q. You had a white coat on? A. Yes—I was in plain clothes—you were near the prosecutor—I did not take you because I had no one with me at the time, and I thought I should lose one of you—I had seen you both together at the back of the Zoological-gardens.

CHARLES BURGESS GOFF. I watched the two prisoners from the Walworth-road to Hampton-street—I saw Dean give a handkerchief to Hines, which he put into his hat—it looked like this—(*looking at one*)—they then turned back—the prosecutor caught hold of Hines, and Brook caught Dean—Hines's hat fell off, and in it were three handkerchiefs—this was one.

Dean's Defence. I never had it in my hand at all.

DEAN—GUILTY. Aged 18.—Confined Nine Months.

HINES—GUILTY. Aged 19.—Confined Six Months.

1913. WILLIAM SMITH was indicted for a misdemeanor.

MR. CHAMBERS conducted the Prosecution.

JAMES ROWELL. I am a butcher. On the 23rd of May, the prisoner came to my shop for a $\frac{1}{2}$ lb. weight of beef, which came to 3d.—he gave me a shilling, which I put amongst some halfpence, where there was no other shilling—I afterwards gave it to the policeman.

WILLIAM HENRY FISHER (*police-constable L 73.*) I took the prisoner, and received this shilling from Mr. Rowell—the prisoner was discharged at Union-hall, as nothing else was found on him.

JAMES COWPER. I am a hosier. The prisoner came to my shop on the 28th of May to purchase a pair of braces—he tendered me a bad shilling—I sent for a policeman, and gave it him—he took the prisoner—he paid for the braces with other money.

WILLIAM BREWSTER HENNINGHAM (*police-constable L 175.*) I was sent for by Mr. Cowper—I searched the prisoner—I found nothing on him and he was let go—this is the shilling I got from Mr. Cowper.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. These shillings are both counterfeit, and both cast in the same mould.

Prisoner's Defence. I went to the butcher's, I gave him a shilling, he turned it over, and put it in his desk; I went out, he ran after me, and said I had given him a bad shilling, I went back, and he asked me to take it back again, I would not, he sent for a policeman, and gave me in charge; when I went to the linen-draper's, I gave the lad a shilling, he said it was bad, and asked if I had any more, I said I had not.

GUILTY. Aged 22.—Confined Six Months.

1914. JAMES SIMPSON, *alias Henry Moore*, was indicted for a misdemeanor.

MR. CHAMBERS conducted the Prosecution.

CHARLOTTE FRASER. I am the wife of Robert Fraser, a baker, at Upper Marsh, Lambeth. On the 12th of June the prisoner came to my shop and asked for a half-quartern loaf, which came to 4 $\frac{1}{2}$ d.—he gave me a half-crown—I gave it to my husband to look at—I told the prisoner it was a bad one—he said he got it at the Crown-and-Cushion public-house, at the top of the street—there is a public-house there, but I do not know the sign—my husband said he would go there—the prisoner then said it was in Blackfriars-road—my husband said he did not care where it was, he would go with him, and they went out together.

ROBERT FRASER. My wife gave me the half-crown, and I went out with the prisoner towards the Crown-and-Cushion public-house—when we got out, he asked me not to give him in charge—I saw a policeman, and asked him if the half-crown was bad or good—he said it was a very bad one—he took the prisoner back to my house, searched him, but found nothing on him, and let him go.

THOMAS WHITEHEAD (*police-constable L 103.*) I took the prisoner, and received this half-crown from Mr. Fraser.

LUKE ANDERSON. I keep a cigar-shop in Waterloo-road. On the 15th of June, about nine o'clock in the evening, the prisoner came to buy three twopenny cigars—he gave me a half-crown—I gave it to my son to get change—he came back immediately, and said it was bad—the prisoner said he would get me another, and made off—I said, “I shall see who you are and what you are”—I got hold of him, and held him till the officer came—my son gave me back the half-crown, and I gave it to the officer.

Prisoner. Q. Did you sound the half-crown on your counter? *A.* Yes.

JAMES HENRY ANDERSON. My father gave me the half-crown, and I took the same one to the butter-shop.

SAMUEL CORNELIUS (*police-constable L 83.*) I took the prisoner—I received this half-crown from Mr. Anderson—I found nothing on the prisoner.

MR. JOHN FIELD. These are both counterfeit, and cast in the same mould.

Prisoner. The first half-crown I took at a public-house; I did not know it was bad; and the other passed through so many hands that it is difficult to know which it was.

GUILTY. Aged 26.—Confined Six Months.

1915. JEREMIAH MOORE and JAMES WALSH were indicted for stealing, on the 30th of May, 1 watch, value 2*l*.; 1 seal, value 1*s*.; and 1 watch-key, value 2*s*.; the goods of John Seddon, from his person; and that Moore had been before convicted of felony.

JOHN SEDDON. I live in Walker-street, Newington. On the 30th of May, between six and seven o'clock in the evening, I was going down Kent-street, and was tripped up, and my watch pulled out of my pocket—it has not been found—I cannot tell who the parties were.

JAMES CANNON. I live in Russell-street, Brixton. About six or seven o'clock, on the 30th of May, I was in Kent-street—I saw the prosecutor—a party ran against him and pushed him down, and at the same time took his watch—the prisoner Walsh ran away with it, and Moore attracted the attention of the by-standers from the one who was running, by first attempting to raise the prosecutor from the ground, and then, before he was quite up, he dropped him again, and ran in a contrary direction to the other prisoner, saying, “Here he goes, here he goes,” whereas, in fact, he was gone the contrary way—I am satisfied the prisoners are the persons.

Moore. Q. You did not see me near the person who lost the watch? *A.* Yes—I saw you lifting him from the ground and dropping him again, and then running in a contrary direction to the other—there did not happen to be a policeman in the neighbourhood or you would not have got off.

JOHN BAKER. I was in Kent-street, and saw the two prisoners in company with another person who is not in custody—they all three ran against the prosecutor and *capsized* him into the gutter—Walsh ran away with his watch through the George public-house, and Moore kept the prosecutor from following him.

Moore. Q. Did you see me push the gentleman down? *A.* You were all three together—I could not say which was the worst.

Moore. I was in the road, I said, "There he goes," and the prisoner was running with the watch at the time; I was on the other side of the road with my hat in my hand. *Witness.* You were keeping the prosecutor from following him.

CHARLES THOMPSON (*police-constable M 32.*) I was on duty on the 30th of May, and I saw the two prisoners together before this robbery took place—I am sure the prisoners are the persons—in about ten minutes after the prosecutor lost his watch, I took Moore concealed up between twenty or thirty persons.

Moore's Defence. I am innocent.

Walsh's Defence. I was led into it; they are trying to lay it all on my back.

JOHN WRIGHT (*police-constable M 63.*) I produce a certificate of the prisoner Moore's former conviction, which I got from the office of the clerk of the peace for Surrey—(*read*)—he is the person who was then convicted.

MOORE—GUILTY. Aged 20.—Transported for Fifteen Years.

WALSH—GUILTY. Aged 18.—Transported for Ten Years.

Before Mr. Sergeant Arabin.

1916. **RICHARD EDWARD PITT** was indicted for embezzling 9s. 3d. and 14s., which he had received for his master, William Briggs; to which he pleaded

GUILTY. Aged 29.—Confined Six Months.

1917. **SUSAN SMITH** was indicted for stealing, on the 20th of June, 1 shirt, value 10s., the goods of Samuel Cook; and 1 curtain, value 1d.; the goods of Mary Ann Spencer, her mistress.

MARY ANN SPENCER. I live at Lambeth and am a laundress. The prisoner was employed to assist me for about two months. On the 19th of June I gave her a shirt to wash, and on the 20th I could not find it—this is it—(*looking at it*)—it is Mr. Cook's shirt—there was this curtain found with it, which is mine.

Prisoner. It is my first husband's shirt—I had had it in pawn before.

SAMUEL COOK. Mrs. Spencer washed for me—this is my shirt—(*looking at it*)—I know it by the cut of the collar and the buttons.

— **LUMBY.** I am a pawnbroker. I took this shirt in of the prisoner, in the name of Ann Burnell, on the 20th of June.

Prisoner. That was my first name.

DOMINIC COHEN (*police-constable P 39.*) I took the prisoner—I found fifty-four duplicates at her lodging—one of them was for this shirt.

GUILTY. Aged 38.—Confined Six Months.

ADJOURNED TO MONDAY, AUGUST 17TH, 1840.

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CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. TENTH SESSION.

A star () denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk † that a prisoner is known to be the associate of bad characters.*

LONDON AND MIDDLESEX CASES.

OLD COURT.—Monday, August 17th, 1840.

First Jury, before Mr. Recorder.

1918. JOHN GURDON was indicted for wilful and corrupt perjury.

MESSRS. PHILLIPS and CLARKSON conducted the Prosecution.

RICHARD HENRY LOWE. I am clerk to Mr. Davis, an attorney in Charlotte-street, Bedford-square. I produce the original record of Nisi Prius, in a cause, "Curlewis against Cox,"—we being attorney for the plaintiff, first of all engross it, it is then carried into the Marshal's office, it remains in the hands of the clerk of Nisi Prius until the verdict is given, and then it is handed to us, until we want judgment signed on it—we take it to the Master to sign judgment on it—the judgment would be engrossed on the issue-roll—I was not in Court when this endorsement was made on the panel, but I believe it is in the handwriting of the officer—I have seen him write, and I believe it to be his handwriting.

Q. Where did you get it? A. I did not get it from the officer of the Court—this seal is the seal of the Court impressed on it by the clerk of the dockets—Henry Haines brought it from the Court—I know the handwriting of the associate—I believe this to be the endorsement of the clerk of Nisi Prius—I have seen him write when I have attended taxation of costs—the practice in the Court of Queen's Bench is, on the day of trial, to hand over the record to whoever obtains the verdict, and the plaintiff having obtained the verdict, it was handed over to us—after four days in term have expired we endorse the postea, and on that judgment is signed—Mr. Davis was attorney for Curlewis in another action brought by Cox against him—I have some of the papers of that action here—I have the particulars of the plaintiff's demand.

Cross-examined by MR. ADOLPHUS. Q. Did you receive at one time a memorandum from Mr. Curlewis? A. I have received several papers—I received one signed by Mr. Cox—I returned it to Mr. Curlewis—I do not know what has become of it.

HENRY HAINES. I am one of the clerks of Mr. Davis, the attorney for Curlewis, the plaintiff in the action—I obtained from the Bail Court, in the Court of Queen's Bench, where the case was tried, the parchment pro-

duced—I got it from the Judge's associate, immediately the trial was over—this endorsement on the Jury panel was on it then.

WILLIAM SAYER. I am one of the clerks of Mr. Dangerfield. He was attorney for Cox, in the causes of Curlewis against Cox, and Cox against Curlewis—I was present on the trial of the issue in Curlewis against Cox, and at the examination of the defendant—I took a note of his evidence, which I have with me—he was sworn and examined on the part of the plaintiff—*reads*—"John Gurdon, I am not now in Mr. Curlewis's employment; I was in the plaintiff's employment from January, 1838, to April, 1839; when Cox came Mr. Curlewis was in the little room behind the shop; Mr. Curlewis called me to witness his giving Mr. Cox 50*l.* He gave him a 50*l.* note. Mr. Curlewis gave the note, and Mr. Cox kept it as long as I saw him. I did not see Mr. Cox go out; I left the room. Mr. Curlewis said, 'You see me give Mr. Cox a 50*l.* note;' the plaintiff said, 'Let me have it again as soon as you can;' Cox said, 'I will'—*Cross-examined by* **MR. THESIGER.** I was in the cutting-room till I was called—I was in Curlewis's employ from January, 1838, to April, 1839—I was working for the British Water-proof Company—I went there about the latter end of December, 1838—I did not remain there more than three weeks—I was only employed two or three hours a day—I am stopping at his house (meaning Curlewis's)—I was assisting him in his shop—it took place in the little room—there was no memorandum—I did not hear Curlewis call to any one to take a memorandum—I never heard him call out to Way to take a memorandum—there was no one else present—Mr. Curlewis sent for me from the country—I do not know whether he lends money—he was in the habit of lending his friends money—Curlewis has lent me money—I do not know whether he keeps a cash-book—I came to town last week."

Cross-examined by **MR. ADOLPHUS.** *Q.* This is written in pencil? *A.* Yes—it was taken in Court—I will not say so much for the cross-examination, as I conducted the case, but the examination I took down word for word—I am sure he said he was in the plaintiff's employ from January, 1838, to April, 1839—I am positive he did not say to February, 1839—some questions were asked by Mr. Thesiger in cross-examination about his being in the employ of one Roper—they are the Water-proofing people—I have not the name of Roper in my notes—he said he did not know Mr. Roper, he was working for the British Water-proofing Company.

Q. How soon after the trial did you go before the Grand Jury to prefer this bill? *A.* The next Sessions, I think—I think it must have been a fortnight after—it took place in May, and we came the next Sessions—the trial was on the 28th of May—we had got the rule for a new trial, I think, before we came here to prefer the bill—I know it came on for argument long before I came here—we have got a rule *nisi*—the indictment against the defendant was left in the office a few days—I made an affidavit that we had filed a bill here, but had not been before the Grand Jury, as they had not sat—we were obliged to move within four days of term—we got the rule *nisi* in the same term.

THOMAS COX. I am the prosecutor of this indictment—I am a livery-stable keeper, and live in Colchester-street, Connaught-square. I saw the defendant on the 28th of May at the trial—I never saw him in my life before then, to my knowledge—I know Captain Henningsen—he owed me 100*l.*—I held a bill of his for 60*l.*—this is the bill—(*looking at one*)—I

got a letter from him, in consequence of the acceptance becoming due, directing me what to do—in consequence of that letter I went to Curlewis, who is a tailor, at No. 12, Hanover-street—when I went to Curlewis, Captain Henningsen was there, talking to Curlewis—it was on the 2nd of February, 1839—I did not see any body but Curlewis and Captain Henningsen, to my recollection—there was one or two men about the place—a man, named Pinn, I saw just inside the door—in consequence of something that was said to me on that occasion I called again in the evening—I then saw a man named Way up at a desk writing, and a man named Pinn, a porter there—he let me in—I did not see any body else—I asked for Mr. Curlewis, and saw him—he gave me 50*l.* on that occasion—I was to go and pay the bill for Captain Henningsen with it—when Curlewis gave me the 50*l.* he said to Way, “Way, you had better take a memorandum from Cox, and give it to the Captain when he comes”—Way said, “Very well”—he did not come into the room—I paid the 50*l.* to Wright, the holder of the bill—I afterwards paid the remainder, which made it up to 60*l.*, and got the bill from him—it was in the little room behind the shop, that I got the 50*l.*—the defendant was not there on that occasion—he was not in the room at all—there was nobody in the room but Curlewis and me—the door was shut—it is a very little room—when Curlewis called to Way he answered—I pushed the door open to go out—it was not open when he called—Way did not come into the little room at all—when I came out I saw Way writing up at the desk—he was in the cutting-room, outside the little room—I left nobody in the little room but Curlewis—I did not see any one in the cutting-room besides Way—it is a large room—I did not see the defendant—if he was there he was behind some of the clothes—I saw Pinn before I went into the little room—he did not go into the room—he was in the same room with Way—I did not notice him as I was going away—it was as I came out of the little room that Curlewis called to Way—Curlewis did not say to the defendant, or to any body else, “You see me give Cox a 50*l.* note;” nor did he say, “Let me have it again as soon as you can”—I did not say, “I will”—no such word was ever said—I was at the trial when Gurdon was giving part of his evidence—about a quarter of an hour after the trial I saw him at a public-house in Bridge-street, Westminster—I said to him, “You villain, how could you go and swear falsely against me? you never saw me with your eyes before”—he made me no answer, but laid his head down.

COURT. Q. Did Curlewis say any thing to you about bringing back to him, as soon as you could, the note or bill? A. Never; he said nothing of the kind—the bill was in the hands of Wright, the corn-chandler, in Edgeware-road—Curlewis produced the 50*l.* on account of Captain Henningsen.

Cross-examined by MR. JONES. Q. Have you had many transactions with Curlewis? A. Not a great many—his horse stood at livery with me, and I had a great deal of difficulty in getting the money—I never had till that time—he made some clothes for me—I never had a penny from him in my life before this—I paid him 18*l.* for Captain Henningsen once—Captain Henningsen often gave me money to pay—I owed Curlewis money for clothes—I have not gone to his shop frequently—I have called there—I might have been there half a dozen times, or once or twice more, perhaps, I will not say to a time—I have seen men in the cutting-room when I called—I did not know them all—I knew most of them—there was Pinn, and a shortish man about the size of Gurdon, but it was not him—I

never saw Gurdon there when I called—I never saw him there in my life, to my knowledge—if he was there he was behind the clothes—it is a very large shop—there might be people behind the horses of clothes—Gurdon has never been to me with messages from Curlewis—that I swear—I never saw him at my place of business or my stables—Curlewis has occasionally sent messages to me by men, by Pinn, and by his groom, O'Brien, and another groom before him—I never heard of persons having called with messages from Curlewis when I have been out—at first Curlewis had one horse, then it went on to six, sometimes three, sometimes four—he deals in them—he wrote a note once about his horses by O'Brien—he never sent a verbal message—the door of the little room in which I received the 50*l.* was shut and closed—that I swear, for I turned the handle when I went in and when I came out—it is a brass handle—I did not come out with the 50*l.* in my hand—I put it into my pocket before I came out—I was putting it into my pocket as I came out—I will swear I had not the note in my hand in the cutting-room—I had it in my pocket—Curlewis did not come out with me—he never got off his chair—he did not say any thing to me as I came out—he might say good night—I had received the 50*l.* before he called out to Way—he said, “Way”—he did not answer, and he said “Way” again—I just opened the door, and then he said, “Take a little memorandum of 50*l.* on Captain Henningsen’s account, and give it him when he comes”—he said, “Very well, Sir”—he did not say, “I have given Mr. Cox a 50*l.* note”—he said “50*l.*”—Way made a memorandum—I saw him make it, and I signed it—I shut the door after me when I came out to Way—it was not open further than when I came out—Curlewis spoke to Way while the door was shut, and Way did not answer him, though he was so very close to the room, and I opened the door and said, “Mr. Way, Mr. Curlewis speaks”—he then called to him again—I pulled the door after me—it was shut when I was speaking to Way—it was shut at first, I opened it, and then Curlewis spoke to him while I was coming out—the door was not shut then of course—I put “Thos. Cox” to the memorandum—I walked straight away—I had got all I wanted, and left—I did not see any body in the cutting-room—I did not stop to look about—I saw nobody but Way—there was nobody there but Way, unless they were behind the clothes—I knew Way—he has not left Curlewis’s service, that I know of—I have seen him frequently—I frequently see him accidentally in the street—I have spoken to him once on the subject of this prosecution.

COURT. Q. What was the memorandum? A. Only a little bit of white paper, about half of half a sheet.

MR. JONES. Q. I presume as you were a party to the bill, you probably had been applied to by Wright to take it up? A. After Captain Henningsen did not take it up I had—I received the bill from Wright on the 2nd of February, when I took it up entirely—10*l.* was my own money—I have never received any money from Captain Henningsen on account of it since—he did not go abroad for several months after he took up the bill—he was not in this country when I went before the Grand Jury—he was in Russia—he went to Brussels first—I do not know when he went to Russia—Curlewis never told me that Captain Henningsen was largely in his debt—I did not know it—I knew nothing about their affairs—I did not introduce Captain Henningsen to Curlewis—it was Mr. Oreason—Curlewis did not tell me that in consequence of Captain Henningsen being so much in his debt he would not advance it on his credit—I took

the letter to Curlewis in the morning, a memorandum at least—when I saw the defendant in the public-house after the trial, Way was there, and a little clerk of Mr. Davis's, who is here—another of Curlewis's men was there, but I do not know his name—Mr. Sayer was there—there were a good many people there having some bread and cheese after the trial—he made no answer, but looked down—he did not tell me not to abuse him, but Mr. Davis's clerk did—Gurdon never spoke to me—he kept his head down so—he said nothing to any body while I was there—I have spoken to Way once on this subject—he spoke to me, and I answered him—he served me with a notice of trial—I did not say to him, “If Curlewis will forego the 50*l*. I will not go against Mr. Gurdon”—I swear that, nor any thing of the kind—Way said, “Will you take a drop of gin-and-water?”—I said, “I have not the least objection, I am not ill friends with you”—he said, “It is a great pity but what Mr. Curlewis and you could arrange things without going to the Old Bailey, it is only throwing money away feeing counsel and lawyers”—I said I wished nothing but what was proper and just; if Curlewis wished to have any thing to do with it, he had better go to Mr. Humphreys, and whatever Mr. Humphreys said, I should abide by, provided Mr. Humphreys was satisfied and recall his words, in saying he lent me 50*l*., for I would not bear the scandal on my name, for it was false—I did not say if Curlewis would forego the 50*l*. I would not go on—nor if Curlewis gave up his claim for the 50*l*. I would settle this business, nor any thing of the kind—Way mentioned it three or four times, and then called me out of doors, and said, “I wish you would settle it, it is a great pity to throw away your money with counsel and lawyers”—I said, “Justice must be done, I will not bear the scandal”—I insisted he should recall his words—I said if Curlewis would recall his words about lending the 50*l*. I was willing to settle it, if Mr. Humphreys thought proper—I said nothing about paying the expenses—very few minutes occurred—he said he had a long way to go—nothing was said as to whether Curlewis would pay the expenses, nothing of the kind.

MR. PHILLIPS. *Q.* When Way served you with notice of trial, what did he say? *A.* He said Mr. Lewis, the attorney, did not know me, and as he knew me it was better for him to come up, and so he did—that was all—this conversation did not take place at that time, but about a month after—it was last Friday night—these are two notes I had from Curlewis—(looking at them)—this is the memorandum of the 18*l*. of Captain Henningsen—Mr. Sayer and Haines were present when I spoke to the defendant in the public-house, after the trial, and had the opportunity of seeing what I state.

WILLIAM SAYER *re-examined.* I recollect being at the public-house.

(The witness Haines was also recalled, but Mr. Adolphus declined cross-examining either witness respecting what passed at the public-house.)

THOMAS PINN. I am a tailor, and live in Exeter-street, Lisson-grove. I work for my uncle, who lives in Bond-street—I was in the service of Mr. Curlewis from May, 1836 to May, 1839—I know the defendant—he came into Mr. Curlewis's service in January, 1838, as porter—I believe he left in November the same year—it was before Christmas—he was not in Mr. Curlewis's service in February, 1839, as far as I know—he was not in the shop, from the time he left till May, 1839, when I left—I remember Mr. Cox coming to Mr. Curlewis in February—I cannot tell the day—I know Captain Henningsen—he was there that day—he came in before

Mr. Cox—I heard Captain Henningsen say, “Oh, here is Cox”—Mr. Cox was directed to come in the evening—I was in the cutting-room in the evening when Mr. Cox came—he was shown into the little room adjoining the cutting-room—I remember his coming out—he had some notes in his hand—I believe there was more than one—I heard Mr. Curlewis tell Way to take a memorandum of the 50*l.* on Captain Henningsen’s account—Way wrote a memorandum, and Cox signed it.

Cross-examined by Mr. ADOLPHUS. Q. When did you go into Mr. Cox’s service? A. In 1836—I continued in it till 1839—I was not out of his service any time, that I am quite sure of—the defendant was not in his service in any way from the time he left till after February—he used to come backwards and forwards—I do not know what he came for—I do not know that he collected debts and things for him—he was not there all day as I was—I cannot tell whether he was not employed as an occasional on-and-off servant—I left Mr. Curlewis in consequence of a quarrel about some clothes going home—it was not about any thing else—*(looking at some duplicates)*—I know these duplicates, they belong to me—I gave them up to Mr. Curlewis—most of them are for my own things, some are for things of his, which I pawned without his leave—I sometimes took things to the pawnbrokers for him, but not these, these I pawned for myself, and kept the money—here are eleven duplicates of things which I pawned of his from July, 1839, to January, 1840—I was not in Mr. Curlewis’s service then, but I used to go backwards and forwards, and do about for him—I never could get any thing for doing it, I was obliged to take the things, no one advised me to do so—Hindmarsh did not know of my doing it—I believe what I pawned amounts to rather more than 5*l.*—I was with Mr. Curlewis three years, and if he had paid me in an honourable sort of manner it would not have occurred—I can blame him for it—he does not owe me any thing by agreement, but he does by right—I had no regular salary—I used not to be paid for two or three weeks sometimes—I went to him by my father’s wish, and he paid me what he pleased—there was no agreement—I had been there three years when I took these things, and when I left him he employed me to go to different places for him—these other duplicates are for things of my own—I sometimes pledged in one name and sometimes in another, but I generally gave the name of Wright I believe, that is my brother-in-law’s name—I was subpoenaed in the cause at Westminster, and attended, but was not called on—I do not remember going to a Mr. Pinch in February, 1839—I do not remember the defendant employing me to go there—I was looking after him by Mr. Curlewis’s instructions—the defendant said he had found some clue to him—he interested himself about Mr. Curlewis’s business the same as I did—I am quite sure when Mr. Cox came out of the little room that I saw notes in his hand—there seemed more than one note to me, but I did not take particular notice—they were Bank notes—Mr. Cox held the door open, and Mr. Curlewis called out to Way—I do not know what he did with the notes—he came out, and went away with the notes in his hand.

MR. CLARKSON. Q. You remember Mr. Cox coming twice, morning and afternoon? A. Yes—Gurdon was not there, either of those times—I gave these duplicates up to Mr. Curlewis when he accused me of it—that was at the beginning of this year—I had left his service in May, 1839—he told me to see that some things went home, and when he came down

and found they were not gone, he accused me of neglect, and said I might go there, and then if I liked, and I did—I had no regular wages when I first went there—my father worked there at the time—I pawned these things as I was in want of money—three or four weeks before I left, Mr. Curlew said I was to have my board and lodging, and 5s. a week, and if I behaved myself I was to have more—he paid me once or twice, but I never could get it regular—he knew I had no other means of living, but by my wages—I applied to him from time to time for my wages—I cannot exactly say whether Mr. Curlew was in good or indifferent circumstances—when he spoke to me about these things, I told him where I had pawned them, and gave him the tickets, and the tickets of my own as well, so that he might see how I lived, and I have never been able to get my own tickets since—I was not in the habit of going to job for him after I gave him the tickets—he sent for me once or twice afterwards about the trial at the Queen's Bench—I think that was some time in February last.

WILLIAM SAYER re-examined. The trial was before Mr. Justice Coleridge—his name is Samuel Taylor Coleridge, and he is a knight.

MR. PHILLIPS to MR. COX. Q. Was the 50*l.* you got in a single note, or how? *A.* Different notes.

Cross-examined. Q. What did you do with those notes when you got them? *A.* Paid them to Mr. Wright—I put them into my pocket as I came out of the room—I never said that it was a £50 note that I received.

RALPH HINDMARSH. I am a tailor, working on my own account, and live in ——— court, Regent-street. I was in Mr. Curlew's employment until the 2nd of June, 1840—I entered it about the 22nd of February, 1839—I was there during the trial of Curlew against Cox on the 28th of May—Gurdon was then in Mr. Curlew's employ—he was not in his employ when I went into it—he was not in Mr. Curlew's employ during 1839 at all—he came into the employment about a fortnight before the trial of Cox and Curlew—on the 26th of May I saw Gurdon when I returned from being out a little—he said the potman from the French Horn public-house had come over to inquire if Way was in, and he told him he was not in, although at the same time he was sitting at the desk, as he supposed he came to subpoena him on Mr. Cox's side—he told me to go over to the public-house, and see if it was Mr. Cox, for I knew him, and he did not, he had never seen him—I am sure he said so.

Cross-examined by MR. ADOLPHUS. Q. You went into the service on the 22nd of February? *A.* Yes—I call that the latter end of February—*(looking at a paper)*—this is my handwriting—I did not go into the service in the beginning of February—I entered it on the 22nd.

JOHN THOMAS ROSE THORN. I am in the service of Mr. Hailstone, a draper, in Marylebone-street; I was formerly in the employ of Mr. Curlew from the latter end of January, 1839, to the first week in March. The prisoner was not in Mr. Curlew's service in February, 1839, not in the way of business, as regards the tailoring—I do not remember Mr. Cox coming to Curlew's.

Cross-examined by MR. ADOLPHUS. Q. Although not in the tailoring business, was the defendant in Mr. Curlew's employ, from day to day, and coming there constantly on his business? *A.* That I cannot say correctly, but he was there, backwards and forwards—he was not there in the tailoring business—if there was any secret correspondence I cannot say—

he was there different days and times, not every day—he and Mr. Curlew were together in a private room, and I could not clearly understand their conversation—I cannot say when Hindmarsh first came, but he came while I was there on a job—he had been employed previously—he was not there on the 2nd of February—he came the last week in February—I fetched him myself.

RICHARD WRIGHT. I live at No. 44, Edgware-road. I was the holder of this 60*l.* bill—(*looking at it*)—when it became due Cox paid me for it—he gave me 50*l.* at first, 5*l.* one day afterwards, and 5*l.* at another time I gave him up the bill when he paid me the last 5*l.*

Cross-examined by MR. ADOLPHUS. Q. In what form did he pay you? A. I think five 10*l.* notes—I received the 50*l.* on the 2nd of February, I think, in the afternoon, before tea—I think it was between dinner and tea—I drink tea at five o'clock.

MR. PHILLIPS. Q. At which time, in February, it is pretty near dark, is it not? A. Yes.

MR. ADOLPHUS called

HENRY CHARLES CURLEW. I am a tailor, and live in Hanover-street, Hanover-square. I know Mr. Cox—I lent him 50*l.* about the latter end of January or February, 1839—it was the 2nd of February, I believe—Gurdon was in my employment at that time, as a sort of clerk and managing man—he used to collect my accounts out of doors, and whatever I had to do—he was in the habit of coming backwards and forwards occasionally to my place of business—I believe he had an occupation at a Water-proofing Company in the Strand at the same time—he divided his time between me and the Company—I should say I had the most of his time—on my lending Mr. Cox the 50*l.*, I called Gurdon in and told him to notice my giving Mr. Cox the 50*l.*, which I lent Mr. Cox—I gave a 50*l.* note—I am quite certain of that—Gurdon came forward at my desire, and saw me give it to Mr. Cox—at the time I gave it, I begged Mr. Cox to return it to me as soon as possible, and he said he would do so—I lent him the money on his own account, to him himself, and not to Captain Henningsen—Way was my clerk at that time—I am not positive whether he was there—I delivered the money to Mr. Cox in a little room separated from the room of business—Gurdon came into the room when I called him—any one in the outer room could hear me call—I was in the habit of doing it—at that time Captain Henningsen was in my debt—he did not apply to me at that time to lend him 50*l.*, or pay 50*l.* for him—I should not have done so if he had—he had no claim on me at that time, not for a farthing; he owes me some hundreds—Hindmarsh was not in my service at that time—he came about the latter end of February, or beginning of March—Gurdon has gone to Mr. Cox with messages from me—I am satisfied Mr. Cox must have been acquainted with Gurdon's person, because he has come on business to my house when Gurdon was there—he had opportunities of seeing Cox, and Cox seeing him—Pinn was in my service then—he has now left—I have known him, to the best of my recollection, I should think, two years, or perhaps not so long—I have, unfortunately for myself, had opportunities of judging of his conduct and character—from what I know of him, I certainly would not believe him on his oath—I discharged him for stealing—I have known Gurdon since the latter end of 1837—I had the best of characters of him from a Captain Birt, as excellent a character as one man could give another, and he deserved it.

JURY. Q. Where was Gurdon when you called him in? A. In the room, with other persons—they might have heard me call him—I do not know whether Way was there, but Walkden, the foreman, was.

Cross-examined by Mr. PHILLIPS. Q. Had you been very intimate with Cox? A. No, not at all—I have not had any money transactions with him, except in this instance—this was the first and last—I knew but little of him—I considered him a very respectable tradesman—he gave me an I O U for the money—I have not got it—I have mislaid it—I have looked for it for the purpose of this indictment, and I looked for it before, but I have not been able to find it—I have mislaid it with some other papers—I was not particularly flush of money, I expected it to be returned in two or three days, but I took an I O U for it—I did not ask for it till I saw Mr. Cox—I cannot say when that was—I think it was about three weeks after—I knew where he lived—I expected it to be returned in two or three days, but still I was not surprised at its being longer—he did not pay it to me in three weeks—I did not ask him for it again, because I had a horse of mine standing at Mr. Cox's, and had a debt of my own incurring—that was my reason partly—to the best of my recollection I had two horses standing there after December, 1838—I will not swear I had two there up to January, 1839—I think I could almost swear that I had one horse there after 1838—I do not wish to swear that which I do not consider to be true, but to the best of my belief I had two horses at that time—I do not know whether Cox called twice on the 2nd of February—I cannot tell whether he did or not—I cannot recollect whether Cox was with me in the morning of the 2nd of February when Captain Henningsen was there—I do not think he was—I would not swear it, because I am not positive—he did not come in the evening—it was in the afternoon that he got the money—I think about three o'clock—I do not recollect saying, in the morning, in Captain Henningsen's presence, that I had a cheque of a large amount to send into the City, but if he would call in the evening he should have the 50*l*.—I do not think I ever spoke to Mr. Cox about a cheque—I will swear I did not say so, nor any thing of the kind—nothing of the kind took place—I did not see Mr. Cox and Capt. Henningsen together at my place that morning—I tell you to the best of my recollection—it is impossible for me to say who calls after seeing twenty or thirty persons in my room—I cannot say who may call two years or eighteen months ago, it is a circumstance I would rather not swear upon—I have never gone by any other name than Curlewis—I never assumed the name of Garth nor Best, that I swear—nor “The little Colonel”—persons may have called me so foolishly, but I never assumed the name—I will not undertake to swear I have not answered to the name of Garth in a foolish way—I believe I have in one or two instances—I never went by the name—I cannot help what people call me—I do not call answering to a name, going by it—I will swear I never went by the name of Garth, nor Captain Garth—I have answered to it—I never answered to the name of Best, nor any other name but Garth and Curlewis—I cannot tell how many actions were brought against me between the 13th of January, 1838, and the 4th of January, 1840—I dare say there were a great many, for, unfortunately for me, I have had to pay for other persons' debts—they are not my own, not legitimately—I will not swear there were not thirty-nine actions brought against me, but I believe they are paid—I know they are, more to my misfortune—I paid

them for other persons—I cannot tell whether my own father was the plaintiff in any of them, he might have been, I will not be certain—if he was, it could not have been maliciously—if he was, it was merely a writ, it never went further—it was some object on my father's part—it was a friendly action—I swear that positively—he might, very likely, have brought two friendly actions against me, I cannot tell—I might, very probably forget two out of thirty-nine actions—if my father was to bring an action against me, I should take very little notice of it, because I should be certain he did not do it from any malicious feeling against me—I will not swear there were not fifty actions brought against me in 1838 and 1839—I have not been a bankrupt since 1838, that I swear—I never was a bankrupt but once, and that was in 1831—I never compounded with my creditors, nothing of the kind—I will not swear there were not three actions pending against me in the same month that I lent Cox the 50*l.*—I think it very probable there were, but I am very doubtful whether there were—I cannot remember whether George Samuel Ford brought an action against me on the 4th of February, 1839—I will not swear he did not, nor that Roger Peek did not bring one against me on the 30th of February—I do not know the name of Penthala—I will not swear that a third party did not bring an action against me in that month, nor that three more were not brought against me in March, and three more in April—I have had a man in possession at my house within the last two years—I have not had two men in possession at the same time, one up stairs and the other in the kitchen, on different suits; that I swear—I have had more than one man in possession within these two years—I cannot recollect how many, perhaps five or six times for other persons' debts, which I have been security for, bill transactions—my name was on the bills—I do not think I have had a man in possession a dozen times within the last two years—I do not wish to swear any thing about it—I will not swear it, but whatever it was they have been paid—I ultimately paid Mr. Cox's demands—I cannot recollect how soon after he made the first demand I paid it—it might be two months perhaps, I am not positive—I will not swear it was not ten months—I paid the money for the horse's keep, I believe it was 40*l.*—I paid the whole and the costs—I do not know what they were—I paid them myself, through a friend, not through an attorney—I have no idea what the costs were, perhaps 17*l.* or more—I will not swear the whole amount was not 80*l.*—I do not recollect—I do not believe an execution was put into my house before I paid it—I am not certain—I did not execute a bill of sale, nor offer to execute one—I think I was informed the execution was coming in—I did not pay it till after that information was given me—I cannot recollect when I paid it—Mr. Cox drew up the I O U in the little room, at the time I gave him the 50*l.* note, at least he did not draw it up, I drew it up—there was pen, ink, and paper in the little room—that was the only document that passed on the subject of the 50*l.*, that I am sure of—that I drew up myself—I gave it to him to sign, and he returned it to me—I have mislaid it—Mr. Cox owed me 23*l.* for clothes—I cannot say when—(*looking at a letter*)—this is a letter written by my clerk, but not with my sanction, that I swear—as there is a new trial to take place on this subject, is it right that I should be called upon to make a case out, as is evidently being done, by a reference to this document?—I never made any claim on Mr. Cox except in writing—I never authorized any one to make a claim of 23*l.* on my behalf

on Mr. Cox or his attorney—I did not know of its being made—I have known of it since—Mr. Way, my clerk, made it without my authority—I am positive that no document passed on the subject of this 50*l.* except the I O U which I drew up, and Mr. Cox signed.

COURT. Q. Do you mean to represent that Way did not make a memorandum of it at your suggestion? A. No, none that I ever saw or heard of—I never desired him to make one, nor call him to make one, nor was there one made that I know of—I never said to Way, “You had better take a memorandum from Mr. Cox and give it to Captain Henningsen when he comes”—I swear that.

MR. ADOLPHUS. Q. You have been asked about the name of Garth, did you ever contract a debt in that name in your life? A. Never—I never accepted or endorsed a bill of exchange in that name—it has been mentioned to me in a jocular manner sometimes—the same observation was made as to “Colonel” by my customers—in the course of my business I have to receive acceptances and pay them away in large numbers—many of them were dishonoured, and in consequence of that actions have been brought against me, but I was security for parties, independent of my business, and those were the cases in which the actions were brought against me—those are the only cases—it was by my name being on bills of exchange—I have borrowed money, and had myself sued on it—sometimes the actions have gone to execution—the Sheriff has put men in possession, and I have paid them out—with respect to Cox’s action I acted entirely under the advice of my attorney—I am a solvent man—if my books were fairly balanced, and my accounts paid, I should have a surplus of 8,000*l.* or 10,000*l.*

COURT. Q. Do you not keep account of the numbers and dates of notes? A. No—I never did in my life, nor ever put my name on the backs—I do not keep a cash-book—my bills of trade are entered by Mr. Way—I swear that I did not advance the 50*l.* at the suggestion of Captain Henningsen, or to his credit—I had not seen him that morning, nor had I seen any letter from him or in his handwriting that morning—I had the 50*l.* note in my pocket with two or three 10*l.* notes beside—I had not had it from a banker’s that morning—I have no banker’s account—I had 70*l.* or 80*l.* in my pocket.

HENRY WAY. I am in the employ of Mr. Curlew, and have been so about two years and a half. I have seen Mr. Cox call there several times—I believe I was not present when the money was lent—I sit at a raised desk in the cutting-room—I believe I saw Mr. Cox there about the 2nd of February—I did not see him in the little room when Gurdon was called there—I have seen Gurdon come out of that little room many times—I do not remember any particular day—I did not on any day in February make a memorandum of any transaction between Mr. Cox and Mr. Curlew—Mr. Cox never came to me to desire me to make a memorandum in the presence of Mr. Curlew—I never drew out any paper which Mr. Cox signed—I have seen a paper, but I never drew it out—the whole of it is in Mr. Curlew’s hand-writing, except the signature—I remember the action being tried at Westminster—I was subpoenaed as a witness by Mr. Cox’s attorney—I was in Court the whole time, but I was not called—I believe Mr. Cox was in Court the whole time—I saw him part of the time—the defendant was in Mr. Curlew’s employ from the end of November up to the 11th of March—he was in the habit of coming backwards and

forwards constantly there, although he apparently had left the service—I have made out several accounts for him to collect, and on the 11th of March he brought the money for one of them, for which he was allowed a commission, I believe—he had been doing that, I believe, from the time he left to the 11th of March.

Cross-examined by MR. CLARKSON. Q. Where was Mr. Curlewis in October, 1839? A. I cannot tell at the moment—he might very possibly have been out of the way—I cannot tell whether he was or not—he is like other men in large business, now and then pushed for money—he has had several actions against him—it was not my business to judge whether or not he thought it necessary to get out of the way—if you mean, has he been denied to persons who have called on him, I will say he has been, to avoid writs—I do not think that was the case in February, 1839—I think that sort of thing did not commence till much later—I cannot fix the date of their commencement—I should say I first knew him in difficulties in 1839, about the middle of the year—I do not know how many actions there were against him that year, nor how many in 1838—I do not know from him that he was a good deal sued in 1838—I remember his being threatened to be sued by Mr. Dangerfield for Cox—I think that was some time at the end of 1839—I do not recollect the month—he generally wrote his own letters—I have written letters on his account without his authority—I remember one particularly which I left at Mr. Dangerfield's desk—I had no authority for writing that, and I nearly lost my situation for doing so—I wrote it because neither Mr. Dangerfield nor his clerk were at home, only a boy—as Mr. Curlewis was out of town I went to request Mr. Dangerfield to wait till he returned—I do not know where Mr. Curlewis was at that time—he might have been at St. Alban's, or somewhere else—I saw the I O U at the beginning of this year, after Mr. Dangerfield had commenced Cox's action against Mr. Curlewis—Mr. Curlewis showed it to me in the little room—I cannot recollect in what month it was—I know it was in the beginning of this year—I should rather say it was February—this is the letter I wrote to Mr. Dangerfield, without Mr. Curlewis's authority—[(*letter read*)—"Messrs. Dangerfield. Gentlemen,—I have received a letter from Mr. Curlewis, who has an account against your client, Mr. Thomas Cox, amounting to somewhere about 23*l.*; for the difference of the amount he is willing to hand you a small bill, of about the same amount, which has two months to run. There was an overcharge in Mr. Cox's account for a horse and gig, which was had by Captain Henningsen, and not by Mr. Curlewis. I am, Gentlemen, your obedient servant, HENRY WAY, Clerk to Mr. Curlewis. October —, 1839."]—Mr. Curlewis was not in town at that time—I had received a letter from him just previous to my calling at Mr. Dangerfield's—I had seen a letter from Messrs. Dangerfield to Mr. Curlewis before I wrote this letter—I think Mr. Curlewis showed it to me, no, I received the letter during his absence, and called down there in consequence, and saw Mr. Dangerfield's clerk—I think Mr. Curlewis may have seen that letter before I wrote this answer—I certainly think he had, I should say I have no doubt about it—he was in London when he saw their first letter—that was some time previous, I cannot recollect how long—I do not suppose they were very long in taking their proceedings—I know in consequence of the first letter I called on them—I should say it was a week before I wrote this letter—I do not remember the date—I cannot

say how soon after he had seen Dangerfield's letter he went out of town—it might have been a day or two after, or it might, perhaps, have been the next hour, I cannot recollect—I have not got that letter of Mr. Dangerfield's—after I called on them, I put it in the fire, most likely—it was destroyed, but I did not destroy it—most likely I put it on the fire—I do not know whether I did—I do not know whether I gave it to Mr. Curlewis—I did not keep a copy of that letter—I wrote that letter in Mr. Dangerfield's office, in consequence of there being no one there but a boy—it was in consequence of the letter which I received from Mr. Curlewis that I called at Mr. Dangerfield's—it was not in consequence of that that I wrote this letter—Mr. Curlewis desired me in his note to call on them—I was not at that time aware of any account, except for the clothes in the ledger—I never preserved that letter.

COURT. Q. Did you write in your letter the substance of the message conveyed in his letter to you? A. I did, with the exception of naming the account of clothes in the ledger, which I was not directed to do.

MR. CLARKSON. Q. Did you receive any instructions whatever from Mr. Curlewis in October, 1839, (in answer to Dangerfield's application on the part of Cox) to say one syllable about a claim of 50*l.*? A. No, I did not.

COURT. Q. Did you receive instructions to say he had a demand of any amount whatever against Mr. Cox? A. I received instructions, which led me to write that letter, instead of delivering a message—Mr. Curlewis desired me, in his letter to tell Messrs. Dangerfield that he had an account against Mr. Cox, and I, without his authority, or without having had instructions, looked at the ledger, and put the amount in—he had not mentioned any amount to me, or what it was for.

MR. CLARKSON. Q. You were present at the trial of the action brought by Curlewis against Cox? A. Yes—I was not called at all—I was subpoenaed by Mr. Dangerfield—I did not see the I O U on the trial—I understood it had been lost before that—Mr. Curlewis told me so, I think after he had consulted Mr. Davis about the suits—I think the I O U was taken to Mr. Davis, and the papers were returned to him for his examination—I never saw it afterwards—I think the last time I saw it was in the first quarter of this year—I never saw it after it was in the hands of Mr. Davis—I never saw it in Mr. Davis's hands—it was in the first quarter of this year that Mr. Curlewis told me it was lost.

Q. Have you ever done any thing else for Mr. Curlewis, besides acting as his servant in the trade? A. I have done whatever was required in the business—I have been possession-man for him when the Sheriff has been in—I consider I have never been so but once—I was left with the warrant at the officer's instance—I forget who was the plaintiff—I do not know whether or not it was a friendly proceeding, in order to secure the goods—I believe it was to save expense—I believe it was arranged between the officer and the creditor—Luckett, a Sheriff's officer, came to the premises with an execution, while I was personating an officer—I produced my warrant, as being first in possession, and refused to let him in—that was some time at the latter end of last year, or the beginning of this—I had never done such a thing before—I swear that was the first time—I believe I had two warrants—I cannot recollect any thing of the particulars—I do not remember Mr. Cox's execution coming in—I heard of it—I do not know whether I might have been there or not—I am in Mr. Curlewis's service now—I do not know of any bill

of sale being given to defeat Cox's execution—I have never lent money to Mr. Curlewis, I never had the means—I once put my name to a bill.

MR. ADOLPHUS. Q. When you say, that in October, 1839, Mr. Curlewis might have been out of the way, was he in the habit of going into the country sometimes? A. Yes, frequently—he would have a run for a day or two down to St. Alban's—I should say he is not only solvent, but could pay 40s. in the pound if he had his debts in—he conducts business in a very extensive way, and among the highest people in the country—in the course of his business he incurs many debts, which press on him at a time when he cannot immediately answer them—a letter came from Mr. Dangerfield requesting payment of Mr. Cox's account—Mr. Curlewis at that time was out of town—I called at Dangerfield's and asked them to wait a day or two, till he returned—they did so, but he did not come back at the time and a second letter came, and it was in reply to that I wrote this letter—the letter I received from Mr. Curlewis, did not in any way empower or authorise me to mention any amount of money due from Mr. Cox to him, or on what account it was due—I looked in the ledger merely for my own information, and found that balance, not being at all aware of the circumstance of the 50*l.*—when Mr. Curlewis came back, he was very angry at what I had done, and threatened to discharge me, and then, for the first time, I saw the I O U.

Q. With respect to your being in possession, was there an officer of the Sheriff in possession before you? A. Yes—the warrant I held possession by was delivered to me by the officer—Mr. Curlewis was aware he was handing me the warrant, and the creditor was aware also—it was done to save expense.

COURT. Q. Who was the creditor? A. I do not remember—I know he was aware of it, because the officer would not have given me the warrant without—Vallance was the name of the attorney, and, I think, Hammond was the name of the creditor—the officer used to call sometimes to see that I was there—no one made any complaint about my being there—I conclude the debt was paid, for the warrant was afterwards given up—the attorney in that proceeding had done business for Mr. Curlewis—if his father was a creditor on either of those occasions, his name did not appear.

(The prisoner received a good character.)

GUILTY.—*Recommended to mercy by the Jury and Prosecutor, considering him to have been a tool in the hands of other parties.*

Confined Twelve Months, and fined One Shilling.

NEW COURT.—*Monday, August 17th, 1840.*

Fifth Jury, before Mr. Sergeant Arabin.

1919. WILLIAM BROWN was indicted for stealing, on the 29th of July, 1 jacket, value 4*s.*, and 1 handkerchief, value 5*s.*, the goods of Charles Brown; and that he had been before convicted of felony.

CHARLES BROWN. I keep the Jolly Farmer public-house, at Edmonton. On the 29th of July, the prisoner and his wife came in about three o'clock in the afternoon—the wife had half-a-pint of beer in the tap-room, and the prisoner came into the ground where some persons were playing at quoits—I do not know when they went away—I lost a jacket, and a handkerchief which was in the pocket of it, off the horse-trough, by the side of

the ground where the persons were playing at quoits—I took it off and threw it there—the prisoner was there, but I do not know whether his wife was—I put it there about half-past four o'clock, and missed it about six—the prisoner was then gone—I took an officer and went to a lodging-house the next morning—we found the prisoner and his wife in bed—the officer asked them for the jacket—they both denied knowing any thing about it—I said, “You must get up and go with me”—the woman said she would not get up while we were there—I then told the officer to search—he opened a cupboard in the room and found the jacket—I then inquired for the handkerchief, and the woman said she had pawned it—this is my handkerchief and my jacket—(*looking at them.*)

WILLIAM PHILLIPS. I am assistant to a pawnbroker at Edmonton. I took this handkerchief in pawn from the woman.

JOHN WELLS (*police-constable N 317.*) I went to the prisoner's lodging—both denied having the jacket—it was found in the cupboard.

Prisoner's Defence. I am quite innocent—I went into the skittle-ground, and was there three or four hours.

RICHARD WATKINS (*police-sergeant N 39.*) I produce a certificate of the prisoner's former conviction, which I got at the Sessions House, Clerkenwell—(*read*)—I was in the Court at his trial—he is the person—I have known him for years—he is a very bad character.

GUILTY. Aged 50.—Transported for Fourteen Years,

1920. SARAH BROWN was indicted for stealing, on the 29th of July, 1 jacket, value 4s., and 1 handkerchief, value 5s., the goods of Charles Brown.

No evidence.

NOT GUILTY.

1921. WILLIAM RATCLIFFE was indicted for stealing, on the 14th of July, 1 printed book, value 14s., the goods of Samuel Daniel Ewins; to which he pleaded

GUILTY. Aged 52.—Confined Three Months.

1922. ROBERT STYLES was indicted for stealing, on the 1st of January, 8 yards of Orleans crape, value 1*l.* 18s.; 17 yards of twilled cotton cloth, value 12s. 6*d.*; half a skin of leather, value 1s. 6*d.*; 15 pairs of braces, value 3*l.*; 18 braces, value 1*l.* 16s.; 45 belts, value 1*l.* 13s.; 312 brace button holes, value 13s., the goods of John Stewart Margetson and another, his masters; to which he pleaded

GUILTY. Aged 25.—Confined Nine Months.

1923. JAMES BEARD was indicted for embezzlement; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

1924. JOHN NOBLE was indicted for stealing, on the 25th of July, 40lbs. weight of nails, value 10s., the goods of Lewis Lane Pittman Mortimer and another, his masters.

LEWIS LANE PITTMAN MORTIMER. I am in partnership with my brother, we are wholesale ironmongers—the prisoner was our porter—we have a warehouse opposite my dwelling-house in Bush-lane, Cannon-street. On the 25th of July, about half-past eight o'clock in the morning, I was at my bed-room window, and saw the prisoner take a very heavy basket from my warehouse door—I called my in-door servant, and told him to follow

the prisoner and see where he went to—he returned in about half-an-hour—I got a search-warrant, and went with the officer to examine the premises of the receiver named Gordon—this property, which I suppose to be mine and my partner's, was pointed out by Gordon as having been received from the prisoner—Gordon acknowledged that he had on previous occasions received property from him—the prisoner had been in our service about a year and a half—there was no basket found there—the property was taken from a case in Gordon's warehouse.

Cross-examined by MR. PAYNE. Q. Who was present when you searched Gordon's place? A. Roe, the officer, and my partner—I cannot swear to this being our property.

COURT. Q. But you had property of this description? A. Yes, and with these nails was found a tally.

GEORGE COSTER. I am in the prosecutor's service. He told me to follow the prisoner, who was carrying a basket on his shoulder, which appeared to contain something heavy—he took it to Mr. Gordon's, on Bread-street-hill—I saw him go into the shop—I went back and told my master.

Cross-examined. Q. Did you conceal yourself? A. No, I walked straight along—it was a square wicker basket—I believe it had two handles.

JOSEPH STONE. I live with Mr. Gordon. He is a cooper. About half-past eight o'clock in the morning, on the 25th of July, the prisoner brought a basket, and said he had brought some nails for Mr. Gordon—he left the nails there—I did not see any money pass, but the basket was emptied, and he took it away with him—I saw the basket emptied, and it contained nails like these that are here—I was there when the officer came, and he took the same nails.

Cross-examined. Q. Did you leave the place before the officer came? A. I might have left it two or three times—sometimes a person comes in for a cask, and I have to go with it—I cannot swear whether I went out or not—the officer came about eleven o'clock—I cannot swear that I had not been out half-a-dozen times.

JOHN ROE. I am a City officer. On the 25th of July I went, with a search-warrant, to Gordon's house—I found these nails there, and Stone found this tally amongst them—I then went to the prosecutor's, and found the prisoner—I told him I was an officer, and I was going to ask him some questions, which he was not bound to answer without he chose—I then asked him what he took away in the basket that morning—he said, "Rub-bish"—I asked where he took it to—he said, "To the dunghill"—I said, "Are you quite sure?"—he said, "Yes"—I said, "Did you not go to Gordon's house, on Bread-street-hill, with it?"—he said, "Yes, I did"—I then took him.

MR. MORTIMER *re-examined.* This is a tally, used to designate nails that we have in our warehouse—it is a written tally—I can swear it is one of ours.

Cross-examined. Q. How many persons have you in your employment? A. About nine—they are not all porters—this tally is written by Elvin, who is still in our employ.

(The prisoner received a good character.)

GUILTY. Aged 44.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Six Weeks.

1925. JOHN RICHARDSON was indicted for stealing, on the 27th of July, 1 handkerchief, value 3s., the goods of Henry Kingsford, from his person.

HENRY KINGSFORD. I am a solicitor. On the 27th of July I was in Bridge-street, close to Blackfriars-bridge—I was told I had lost my handkerchief—I went to the station-house, and saw my handkerchief drop from the prisoner as they stripped him—this is it—(looking at it.)

EDWARD BURGESS (*City police-constable, No. 329.*) I was in Bride-lane, and watched the prisoner, who was in company with two more boys—I saw him take something from the prosecutor's pocket, and put it under his white apron, in his trowsers—I ran and secured him, and sent a person for the prosecutor—I took the prisoner to the station-house—the other two ran away directly they saw him secured—I found this handkerchief on him—in taking down his trowsers it dropped from him.

Prisoner's Defence. Two boys picked the gentleman's pocket, and they *chucked* it at me.

GUILTY.* Aged 13.—Transported for Ten Years.—Convict Ship.

1926. WILLIAM BERESFORD was indicted for stealing, on the 27th of July, 1 till, value 3s.; 1 half-crown, 2 sixpences, 1 fourpenny-piece, 5 pence, 120 halfpence, and 99 farthings; the property of Joseph Ruddy.

JOSEPH RUDDY. I keep a public-house, in Great New-street, Fetter-lane. On the 27th of July, between nine and ten o'clock at night, I was sitting in my back parlour—I have got a bad knee—my wife was with me—perhaps she was a little slumbering from the fatigue of the day—I heard the money rattle in the till inside the bar—I gave my wife a slap—she jumped up, ran out, and I followed her—I had a distinct view of the prisoner under my gas-lamp—my wife and servant followed him—he was taken before he got half-way down Goldsmith-street—I distinctly saw my till in his hand—this till produced is mine, and has the money stated in it.

Prisoner. Q Did you see me go in? A. No—you came in like a dog, on your hands and knees.

JOHN YATES. I live in that neighbourhood. I heard a cry of "Stop thief," and saw the prisoner running towards me, carrying this till in his hand—I ran across the street, and when he saw me he threw the till into the middle of the street—I caught him—he made a great struggle to get away—I gave him into custody.

ELIZABETH BUCKLEY. I am in the prosecutor's service. I heard the cry of "Stop thief"—I went out, and picked up the till and the money—there were three farthings out of it.

GEORGE WALTERS (*City police-constable, No. 250.*) I took the prisoner, and have the till and money.

GUILTY. Aged 17.—Transported for Seven Years.—Convict-Ship.

1927. HENRY WEBB and CHARLES SCOTT were indicted for stealing, on the 23rd of July, 52 yards of linen cloth, value 5*l.*, the goods of Samuel Sadler and others.

FRANCIS DYMCK. I am in the employ of Samuel Sadler and others, linen-merchants, Ironmonger-lane. The prisoners came there with a cart, on the 23rd of July, about twelve o'clock—they said they came for a box

of linen—they did not say for whom—I knew that they worked for Messrs. Pellatt and Watts, of Tenter-street, Moorfields, who are in the habit of sending for orders every day—I told Scott to go into the lower warehouse to hook on the box—I went up to the crane, and left Scott in the lower warehouse to hook on the box, and Webb was outside with the cart, in the yard—while I was looking out at the loop-hole I saw Webb come out with the linen, and put it into the cart—he shut the cart up—it was a covered cart—I came down, and then the prisoners were both at the cart—I suspected what I saw Webb take out was linen, and I said “I must have a mark out of the box,” meaning the box of linen that they had just put into the cart—Scott said I had already taken it out—I said, “Yes, but I must take the number out;” I wanted to get into the cart, but Scott jumped up, and would not let me get in—Webb was then standing by—I told my master, and we went to Pellatt and Watts—Scott was there unloading the cart, and Webb was carrying the goods into the warehouse—the parcel I saw Webb take out was in blue paper—I asked Webb what he had done with the parcel he took out in a blue paper—he said he had taken nothing at all out—I said he had—Scott said it was no such thing; if we had lost two pieces of cloth, they had not got them.

Cross-examined by Mr. PRENDERGAST. A. When Webb put the parcel in, Scott was not there? A. No; he was below, hooking on the box—the linen was taken from the first-floor, and the box was down in the cellar—I believe Scott was down there—I left him there, but I was up at the crane in the third floor—Scott could not have hooked the box on the crane in the first floor—the box had been marked with ink, and I had taken out the mark with a scratch; but I wanted to look into the cart, and said, “If I have taken out the mark, I must have out the number”—Scott said, “I will scratch it out,” and I gave him the scratcher.

THOMAS WHITFORD. I am one of the partners of Mr. Samuel Sadler and others. This linen is ours—it was kept in blue paper—it is worth 5*l.*—I went to Pellatt and Watts, and found both the prisoners there—they are in their employ—Webb denied in the first instance any knowledge of this parcel which I accused them of stealing, but afterwards, from a promise of leniency, he said he had taken the cloth at the instigation of Scott—Scott was not then present.

Cross-examined by Mr. CLARKSON. Q. You knew that Webb was in that employ? A. Yes—I have known Webb about two years, and Scott about fourteen.

ELIZABETH EDWARDS. I keep a coffee-shop. Webb brought me a parcel, to take charge of till dinner time, for Mr. Scott—Jennings came and asked me for it—I gave it him.

JABEZ JENNINGS. I am in the employ of Mr. Dawson, of Basinghall-street. I met Scott in the street, and he asked me to be so good as to fetch the parcel from the coffee-house in Moor-lane—I went to Mrs. Edwards for it—I told her I came from Scott—I got the parcel, and gave it to the officer.

JOHN ROE. I am a City officer. On the 23rd of July I was sent for to the prosecutor's, and found the two prisoners in separate rooms—I said to Scott, “You are charged with stealing two pieces of linen”—he said, “I am perfectly innocent”—I went with Webb to Mrs. Edwards's, and asked for the parcel—I found it with Jennings.

(Webb received a good character.)

WEBB—GUILTY. Aged 18.—Confined Three Months.

SCOTT—NOT GUILTY.

1928. ROBERT PHILLIPS was indicted for embezzlement.

THOMAS BAYNES. I am a stock and brace-maker, and live in Aldersgate-street. The prisoner was in my employ—it was a part of his duty to receive money for me—he did not account to me for the receipt of 16*l.* 16*s.* from Ann Edmeston—he was a porter, but he was entrusted to receive money, and ought to account directly he returned—he did not account to me for this, and several other sums.

Cross-examined by Mr. BALLANTINE. Q. How many sums have you indicted him for? A. One, Sir—I have a son, who is in my business, but he is not a partner, he is but sixteen years old—the prisoner has been seven years in my service—he received at first 10*s.* a week, it has increased to 18*s.*, and he was receiving that at this time—he has a wife and children—I knew this about the 17th or 18th of July.

ANN EDMESTON. I deal with the prosecutor. On the 18th of June I paid the prisoner 16*l.* 16*s.*—I have his receipt for it.

Cross-examined. Q. Is there any stamp to the receipt? A. There is not—I recollect making a remark of the charge of one invoice—I paid part of this in sovereigns, and, to the best of my recollection, it was a 5*l.* note—I pay once a month for what I have.

WILLIAM ARNOLD (*City police-constable, No. 204.*) I took the prisoner—the prosecutor charged him with taking several sums of money—he said it was not so much as he was charged with.

GUILTY. Aged 23.—Confined Nine Months.

1929. EDWARD BURKE was indicted for stealing, on the 30th of July, 1 handkerchief, value 3*s.*, the goods of William Munk, from his person.

WILLIAM MUNK. On the 30th of July I was coming over London-bridge, between half-past three and half-past four o'clock—I was told my pocket was picked—I put my hand, and found it was the case—the prisoner was pointed out to me—I went and charged him with having my handkerchief—he denied it—I collared him, and took him to the station-house—my handkerchief was found on him—this is it.

FREDERICK RUSSELL (*City police-constable, No. 20.*) I took the prisoner—he denied having the handkerchief—I took him to the station-house, and he took it out of his pocket—the prosecutor's name is on it.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Six Months.

OLD COURT.—Tuesday, August 18th, 1840.

Second Jury, before Mr. Recorder.

1930. JOHN WILLIAMS was indicted for feloniously forging and uttering a request for the delivery of goods, with intent to defraud David Cooper and another; to which he pleaded

GUILTY. Aged 29.—Confined Two Years.

1931. JAMES JONES was indicted for feloniously forging and uttering a request for the delivery of goods, with intent to defraud George Benn and another; to which he pleaded

GUILTY. Aged 16.—Confined Two Years.

1932. JOHN MARTIN was indicted for stealing, on the 16th of August, 1 handkerchief, value 3s., the goods of John Trollope, from his person; to which he pleaded

GUILTY.* Aged 16.—Transported for Ten Years.

1933. GEORGE ISAACS was indicted for stealing, on the 16th of June, 1 hat, value 3s. 6d.; and 1 handkerchief, value 3s.; the goods of Thomas Greenham, from his person; to which he pleaded

GUILTY.

1934. GEORGE ISAACS was *again* indicted for stealing, on the 9th of August, 1 handkerchief, value 1s., the goods of George Tibbetts, from his person.

SAMUEL TIBBETTS. I am a solicitor, and live at Oundle. I was with my brother George on the evening of the 9th of August in Gray's-inn-lane, and noticed the prisoner take his hand from my brother's pocket—he was close behind us—my brother turned round, and the prisoner stopped instantly—my brother collared him, and picked up the handkerchief close behind him—there was nobody near enough to have taken it but him, there was nobody within twenty or thirty yards.

GEORGE TIBBETTS. I was with my brother, and noticed the shadow of a hand coming towards my pocket—I instantly felt, and my handkerchief was gone—I turned round, and saw the prisoner's hand move from behind me—I seized him, and said, "You rascal, you have taken my handkerchief"—I found it on the ground—there was nobody else near me—this is my handkerchief—(*looking at it.*)

Prisoner. He called "Stop thief" after two other men who ran away. *Witness.* I never uttered a word to any body but him—I had not used my handkerchief since I left London-street—I felt rather a push thirty yards before—I then felt it, and it was safe—it could not have dropped out.

GEORGE COXHEAD. I am a policeman. I took the prisoner into custody on Holborn-hill—I produce the handkerchief, which the prosecutor gave me.

GUILTY.* Aged 20.—Transported for Fifteen Years.

1935. WILLIAM HUMPHRIES was indicted for a misdemeanor.

GEORGE CHUBB SERGEANT. I am a news-vendor, and live in Butcher-hall-lane, Newgate-street. The prisoner was nearly two years in my employment, and went out with messages and newspapers to meet my son at different offices—I frequently employed him to take money from me to my son—on the 11th of February he said, "William wants 2l." which was his usual way of addressing me—I gave him two sovereigns, and then he ought to have come down with evening papers—but instead of seeing him, my son came down, and I found he had not been to my son—I gave him the sovereigns, believing my son had told him to ask me for them.

WILLIAM SERGEANT. I live at No. 2, Holywell-street, Strand—I am the prosecutor's son. On the 11th of February I did not desire the prisoner to ask my father for two sovereigns—I did the week before that, and

then he brought it to me—neither on the 11th or 12th did I authorise him to ask for money—he asked me on the 10th if I wanted any money—I said no—he did not bring me any—I did not see him after one o'clock.

JOHN MARK BULL. I am a policeman. I apprehended the prisoner on another charge—I told him what I took him for, in taking him from Guildhall at the first examination, where I heard this charge, he said he did not care what became of him, that he had taken the money and spent it in the skittle-ground.

Prisoner's Defence. I was two years with Mr. Sergeant, and received no wages whatever, and I took the 2*l.*, as Mr. Sergeant threatened to discharge me.

GEORGE CHUBB SERGEANT re-examined. I took him from charity—my son found him sleeping in a cart, and in a starving state—he had 1*s.* a week, and had board and lodging—he could not write nor read—I endeavoured to teach him both.

Prisoner. That is quite wrong—I own I received 1*s.* a week and no more—he agreed to find me in clothes, board, and money. *Witness.* There was no agreement whatever—I was keeping him till he could get a situation.

GUILTY. Aged 20.—Confined Two Years.

1936. **ROBERT SALTER** was indicted for assaulting Thomas Lane, with intent, &c.

GUILTY—Of a Common Assault. Aged 40.—Confined Twelve Months.

1937. **GEORGE GRANT** was indicted for stealing, on the 12th of August, 1 coat, value 20*s.*, the goods of William Lees.

PETER BULLOCK. I am a labourer at Mr. Carr's livery-stables, Arthur-street West, and live in Glass-house-yard. On the afternoon of the 12th of August I was at work in the livery-stable yard, and saw the prisoner draw this coat out of a headed chaise, get inside the gateway, wrap it round his arm, and run out of the yard—I called to him, followed him, and he dropped it about thirty yards from the gate—I took it up—Jones came up, and I gave it to him.

THOMAS JONES. I received the coat from Bullock—I was passing near the livery-stables, and heard the alarm, saw the prisoner running, and overtook him in about ten minutes at the top of Cannon-street—I asked how he came to take the coat—he said a boy, who he never knew, *chucked* it to him, and told him to run.

WILLIAM JAMES LEES. This is my father's, William Lees, coat—I left it at the livery-stables in the morning with a chaise.

WILLIAM BURFIELD. I am book-keeper at the stables. I was in the yard, and saw the prisoner run out of a gate with a coat under his arm—I saw him stopped.

Prisoner. Q. How can you swear to me? A. By your clothes and a striped handkerchief which you had on—I am sure the same person was brought back.

JOHN FOLBIGG. I am a helper at Carr's livery-stables in Goswell-street. I heard Bullock say, "Boy, what are you at?"—I then saw a boy run out with the coat as I was standing eating my dinner—I only saw his back, but I ran after him, crying "Stop thief"—I saw him drop the coat—it was a boy in the same dress as the prisoner had when he was taken.

PETER BULLOCK re-examined. I saw his face looking round the window

before he took the coat—I swear to him—a lady and gentleman came into the yard, and he slipped in behind and took it.

Prisoner's Defence. It was not me; I had been looking after a situation; I heard a cry of “Stop thief,” and ran as other people ran.

THOMAS JONES *re-examined.* I first saw him about twenty yards from the stable—he had dropped the coat there—I never lost sight of him—when I took him he said he did not take it himself, but a boy *chucked* it to him.

(The prisoner received a good character.)

GUILTY. Aged 16.—Confined Three Months.

1938. FREDERICK SEALES was indicted for stealing, on the 29th of July, 1 shirt, value 1s. 6d., the goods of the Guardians of the West London Union.

JOSEPH STANTON. I am a porter at the West London Union Workhouse. The prisoner was taken in there for shelter as a vagrant—information was given to me—I watched him and found a shirt in his trousers belonging to the Guardians—William Savill had the use of it.

Prisoner. Q. Did I not deliver it up before I came out of the gate? A. He was the last that came out—I said, “You walk into the lodge,” which he did—I said, “Have you got the shirt?”—he said, “Yes”—I said, “Give it up.”

WILLIAM SAVILL. I am an inmate of the house. I went to bed on the 27th of July at eight o'clock—I left my shirt on the table in the hall—it was a dirty one—next morning, about a quarter-past seven o'clock, I found it was gone—this is it—(looking at it)—it was for my use in the Union, and has my name on it.

JOHN CALL. I am a police-sergeant. I took charge of the prisoner and the shirt.

Prisoner's Defence. I left the workhouse about half-past eight o'clock with another young man, who told me he was destitute of a shirt, and asked me to take one out for him; I did so, and on coming to the door the witness asked if I had it; I said, “Yes,” and delivered it up to him.

JOSEPH STANTON *re-examined.* The other young man was discharged by the Alderman—the prisoner said it had been given to him.

(The prisoner received a good character.)

GUILTY. Aged 22.—Recommended to mercy.—Confined One Month.

1939. WILLIAM REDMAN was indicted for stealing, on the 4th of September, 1 tea-chest, value 1s., and 86lbs. weight of tea, value 16l., the goods of Robert Cork, his master.

MR. JONES conducted the Prosecution.

ROBERT CORK. I am a carman, and carry on business at St. Dunstan's-hill. The prisoner was in my employment last year—on the 4th of September last I sent him with a cart to Clark and Roe's, in Arthur-street West, London-bridge—he came to me in the evening, and gave an account to my foreman of twenty-three packages taken out and delivered for Clark and Roe; and next morning he gave me the same account; and from some little discrepancy in his money account he absconded—he had taken the horse and cart out about nine o'clock in the morning to ply, and never returned, leaving two days' wages due to him—he left the horse and cart in the street opposite the Custom-house—I saw it there—he did not tell me he did not intend to return—I saw him again on Friday, the 31st of July, this year, in Kingsland-road—I followed him till I met a policeman,

and said to the policeman, "I charge this man with felony"—the prisoner then said, "I did not steal your chest of tea"—I had said nothing about tea, I could hardly identify him, as he was in a different garb to when in my employ, but I have no doubt now that he is the man—since he left me I have paid Clark and Roe the value of the chest of tea, by a running account of more than treble the value—I have debited myself to the amount of 16*l.* 9*s.* 8*d.*—it is the general custom of the trade to be responsible for the value of the goods which carmen have to deliver.

Cross-examined by Mr. Horry. Q. When you send him out with the cart you send him to go any where with it, where Clark and Roe direct him? A. Yes—I am paid according to contract—I made inquiry in the neighbourhood, and gave information to the police, and offered a reward for his apprehension—I did not publish the reward, but promised them 5*l.* to apprehend him.

Mr. Jones. Q. Did you make such inquiries as you thought would discover him? A. I made every exertion I could.

THOMAS CUTMORE. On the 4th of September I was porter to Clark and Roe. In consequence of directions I went to Mr. Cork's—the prisoner came there in a horse and cart of Mr. Cork's, and I delivered to him twenty-three packages; among them was a chest of tea, directed to G. Oliver, Baldock, a box, and two small boxes—I directed him to deliver them at the Horse-shoe, Goswell-street—that made three packages to be delivered there, a chest of congou, a box of twankey, and two caddies containing tea, which were corded together—he was to book them as three packages—I agreed with him as to the number of packages before he took them away—he said there were twenty-three after counting them, distinctly.

Cross-examined. Q. Did you ever say any thing before about the address on the chest of tea? A. I do not recollect—I handed the packages to the prisoner himself—I put them into the sling, and let them down into the cart—we sometimes employ other carmen, but no other carmen were there that day—I do not recollect having more than one cart there that day—I know we were very slack—if there had been other carts there I must have known it—I was on the first floor, standing at the loop-hole, when I called out to him to count them—there were other packages in our warehouse—the clerk has not told me the address on the tea-chest—I know it was for Baldock, but I could not exactly tell the name—I noticed the chest more particularly, because it was a very handsome one, and in good condition—I did not notice the address on any other package—I cannot say what the exact address was—he asked me to send down the three packages for the Horse-shoe public-house first—I cannot say how many booking-offices he had to go to—the two caddies were counted as one parcel.

Mr. Jones. Q. Did you deliver to any body besides the prisoner a chest of tea, to be left at the Horse-shoe? A. I did not.

WILLIAM CLARK. On the 4th of September I was porter to Clark and Roe. The prisoner came there with a cart that day—I delivered to him twenty-three packages, and among them one chest of tea, a box, and two caddies, directed to G. Oliver, Baldock—I told him to deliver them at the Horse-shoe public-house—I called to him, "How many packages have you?"—he said, "Twenty-three."

Cross-examined. Q. Did you let down all these packages by the crane? A. I did—Cutmore was helping to sling them—Cutmore called out to the

prisoner, as he stood at the loop-hole—I called the goods over to the warehouseman, and again asked the prisoner how many he had—he said “Twenty-three.”

JAMES MILLWARD. On the 4th of September I was acting as book-keeper, at the Horse-shoe, in Goswell-street. I cannot say whether the prisoner is the man who came there that day with packages—he is very much like the man, but so many come, I cannot say whether he is the person or not—a person came there that day with a box, and two small boxes tied together, directed to G. Oliver, Baldock—there was no chest of tea delivered with them—he paid me 4d. for booking, reckoning them as two packages, and went away—to the best of my recollection he had a cart outside—next morning the same person came to me again with his book—I was very busy with my work, and did not pay attention, but it was the same person both times—the prisoner is very much like the man—I cannot be sure whether it is him or not—I had very few words with him—I saw the prisoner before the Magistrate, after he was committed—I did not see him before the Magistrate when I was examined, he had been committed the day before—the prisoner was not there at the time—they took my evidence after he was committed—he was not asked in my presence whether he had any thing to say—I did not see the Lord Mayor there—I went into a room, but not before the Justice—(*looking at his deposition*)—this is my signature, it was read over to me before I signed it, but it was the day after the prisoner was committed—the prisoner was there the first time I was there, but I did not see him—I was not examined that day, I was examined next day, when he was not there—I was told he had gone away when I went there—when the person who delivered the boxes came to me next morning, he said the clerk had been making a strange noise and piece of work with him, and that I did not charge enough money, I ought to have charged 2d. more—I said, “Give us your book, and I will put down 2d. more;” and I put down 2d. more under the 4d.—I received the other 2d. and entered it—it stands in our book, “A bundle and box, 6d.” instead of 4d.—the prisoner was not with me more than a minute—I will not say the prisoner is the man, I took very little notice of him—I went across and signed his book for a box and bundle of boxes—I have never said that he was the man.

Cross-examined. **Q.** You were only in the booking-office a short time, because the book-keeper was ill? **A.** I was only there a short time, as the book-keeper was gone out—I am the ostler—I was in the yard all day, but not in the office—the book-keeper is since dead—I did not receive a number of packages that day—this was the only thing I received—Mr. Smith is proprietor of the Horse-shoe—he was not there in the course of the day—he keeps the Three Cups Inn also—I should know a chest of tea by the chest.

ROBERT CORK re-examined. I heard Millward examined—he was not examined before the Lord Mayor—he gave his evidence before the clerk, and the prisoner was there when he gave his deposition—it was read over to him in the prisoner's presence—the prisoner heard what he said—Mr. Harris was the clerk—it was in an outer room, not in the Justice-room—Millward was not examined before the Lord Mayor at all—when we went, the Lord Mayor said there was sufficient to send the prisoner before a Jury, and he was not examined—the clerk desired me to have the witness there next morning, to be examined—I took him there, and the clerk took down what he said in a separate room, and read it over in the pre-

sence of myself, the prisoner, and the rest of the witnesses—I afterwards went before the Lord Mayor, but Millward did not—he was in the same room as the prisoner when he gave his evidence.

COURT. *Q.* Were the depositions read over in presence of the Lord Mayor? *A.* No, in an outer room, where they are all taken, and then they are taken before the Lord Mayor to be sworn to—I was sworn by the clerk—the Lord Mayor was not present when Millward was sworn.

MR. HORRY. *Q.* Had you a man in your service at the time who has left since? *A.* Yes.

JOHN FRENCH. I am a policeman. On the 31st of July last I received the prisoner in custody on this charge—he told me he did not steal the chest of tea—before he said that the prosecutor had given him in charge for felony—no one had said any thing about a chest of tea—the prisoner afterwards told me he had received twenty-three packages, and delivered twenty-three.

MR. HORRY to WILLIAM CLARK. *Q.* Since the 11th of September you have had numbers of packages go through your hands? *A.* Yes, some hundreds.

COURT. *Q.* Do you make an entry of every package? *A.* Yes, I always halloo out to the carman, “How many have you got?” and then we call them over to be entered to the warehouseman—the twenty-three was reckoning the two little boxes as one.

MR. HORRY called

THOMAS COUSINS. I am a night and rubbish carman, and live in Winslow-street, Bethnal-green. The prisoner has been in my service for the last six months, until he was taken into custody—I have known him eight or nine years—he is a very good, honest, hard-working man—I have sent him to clear goods from a sale to the amount of 8*l.* or 9*l.*—I would take him again.

MR. JONES. *Q.* Did you know him in the service of Mr. Cleaver? *A.* Yes—I cannot say how long ago that is—he has been jobbing about—I do not know why he left Mr. Cleaver—he has never been in trouble, to my knowledge—I cannot say that I have lost sight of him for the last eight or nine years—I have seen him about Thames-street, with a cart and wagon—I cannot say that I have not lost sight of him for six months at one time—I should rather say that I had not than that I had, but I will not swear it—sometimes I did not see him for a month or two together—he entered my service about six months ago—he drove a horse and cart for me—I paid him by the job—I did not pay him regularly every week—he was entirely in my employ—I might send him to St. Dunstan’s-hill—I cart rubbish out of the City—I think he lived with his mother, in Kingsland-road—I have gone and called on him there in a morning—I always found him there—I did not ask him in whose service he had been when he came to me—I did not receive any character with him—I only knew him about as a carman—I never carried chests of tea in my cart—it is out of my line.

MR. HORRY. *Q.* If he had been in trouble, should you have heard of it? *A.* If I had heard of it I should not have trusted him to clear goods for me.

GUILTY. Aged 32.—Judgment Respited.

1840. WILLIAM WALKER was indicted for feloniously forging, on

the 30th of January, a request for the delivery of 500 leaves of gold, with intent to defraud William Cobley : 2nd COUNT, for uttering the same, with a like intent.

WILLIAM COBLEY. I am a gold-beater, and live in St. John's-court, King-street, Snow-hill. On the 30th of January the prisoner came and produced this order to me—(*read*)—"January 30th, 1840.—Mr. Cobley, Please let the bearer have 500 of gold.—Mr. TUBB."—I let him have it—I had known him in Mr. Tubb's employ, and was not aware he had left it—he came several times between that and the 7th of July.

Cross-examined by MR. CHAMBERS. Q. Do you know the hand-writing at all? A. I do not.

WILLIAM TUBB. I am a painter and gilder, and live in Charlotte-street, Fitzroy-square. This order was not written by me, nor by my authority—the prisoner left my service about a fortnight before Christmas—he had no authority to receive gold-leaf for me since the 1st of January—he was about three years in my service—I am not acquainted with his handwriting—I have never seen him write, nor ever acted on his writing.

MR. COBLEY re-examined. I had been in the habit of receiving requests from Mr. Tubb in writing—they were signed "W. Tubb"—this order was the first which the prisoner brought signed thus, and I said "Whose handwriting is this? it is a different handwriting"—he said it was the son's.

WILLIAM TUBB, JUN. I am Mr. Tubb's son. This request is not my handwriting—it was not written by my direction, nor with my knowledge.

Cross-examined. Q. Are you the only son? A. No, there are five others—they are all younger than me—I am nearly fifteen—the next is turned thirteen—I assist in the business, and one of the others does who has just left school, but he did not on the 30th of January—I never write orders.

(Thomas Butler, carpenter, 13, Essex-street, Gravel-lane; John Pellett, fishmonger; and William Batchelor, City toll-collector; gave the prisoner a good character.)

GUILTY of Uttering. Aged 18.—Transported for Seven Years.

(The Prosecutor stated that the prisoner had obtained from him goods amounting to 45*l.*, by similar forged orders.)

1941. **HENRY WHITE** was indicted for embezzlement.

FELIX SPIERS. I am a ship-broker, in partnership with Mr. Lawrence Redhead, and live in Trinity-square, Tower-hill—the prisoner was our clerk for about five years. On the 19th of March he was sent to Messrs. Paxton's, Pall Mall, to receive 16*l.* 13*s.* 4*d.*, which was due to our firm—on the 15th of April he was sent to Mr. Parry, in Oxford-street—on the 16th I lost sight of him—his duty was to take out messages, copy letters, and do general business in the counting-house—there is a book called "Freights received," in which it was his duty to enter money he received—these sums were due for freights and disbursements—the books are not here—he has not accounted to me for the receipt of these monies.

Cross-examined by MR. CLARKSON. Q. I suppose a great deal of money has passed through his hands? A. Yes, perhaps 200*l.* or 300*l.* a-week—he always bore a good character previous to this—his wages were 12*s.* 6*d.* a-week.

COURT. Q. Might the multiplicity of his accounts have led to his post-

poning his accounting for this particular sum? *A.* He was in the habit of accounting daily, as far as we knew, for what he received—I do not think he would have repaid this, as he absconded from the counting-house altogether.

CHARLES FREDERICK GEORGE. I am clerk to Messrs. Paxton and Co. On the 19th of March I paid 16*l.* 13*s.* 4*d.* to some party who applied for it—I took a stamped receipt for it—this is it—(*producing it.*)

WILLIAM PARRY. I am a confectioner, and live in Oxford-street. On the 15th of April I paid 8*l.* 13*s.* 5*d.* to one of Mr. Redhead's clerks, and took a receipt for it on the bill, not a stamped one.

FELIX SPIERS *re-examined.* The handwriting to this receipt of Mr. George's, is the prisoner's—he was taken into custody on the 10th of July.

NOT GUILTY.

NEW COURT.—*Tuesday, August 18th, 1840.*

Sixth Jury, before Mr. Common Sergeant.

1942. GEORGE JEFFERY was indicted for stealing, on the 28th of March, 3 rings, value 1*l.* 4*s.*; 2 watches, value 4*l.*; 1 watch-chain and seal, value 19*s.*; and 2 studs, value 4*s.*: also, on the 17th of June, 7 spoons, value 1*l.* 8*s.*; 1 fork, value 6*s.*; and 1 ring, value 1*l.*: also, on the 29th of June, 15 spoons, value 3*l.* 13*s.*; 6 forks, value 2*l.*; and 1 mustard-pot, value 1*l.* 13*s.*; the goods of Charles Gibson, his master; to which he pleaded

GUILTY. Aged 20.—Confined One Year.

1943. THOMAS SAMUEL BANKS was indicted for stealing, on the 13th of June, 1 sovereign, the monies of John Letts, his master: also for embezzlement; to which he pleaded

GUILTY. Aged 16.—Confined Six Months.

1944. WILLIAM PALMER was indicted for stealing, on the 2nd of August, 2 coats, value 1*l.* 15*s.*; 1 waistcoat, value 6*s.*; 1 pen-case, value 6*s.*; and 1 watch, value 10*s.*; the goods of William Borman; to which he pleaded

GUILTY. Aged 30.—Confined Four Months.

1945. EDWARD WARREN was indicted for stealing, on the 23rd of June, 74 yards of ticking, value 8*l.*; 26 yards of lawn, value 2*l.* 10*s.*; and 105 yards of calico, value 3*l.* 3*s.*; the goods of Francis Barker, his master.

GEORGE GENTIL. I am foreman to Mr. Francis Barker of Chiswell-street; the prisoner was in his employ. On the 23rd of June, I sent him with a one-horse cart to Messrs. Strutt's, in Wood-street.

AARON BROOKS. I am porter to Messrs. Strutt of Wood-street. The prisoner came there with a cart on the 23rd of June—I gave him some trusses to put into the cart, and a sheet for Mr. Dixon, containing the articles stated, which were worth about 13*l.* 14*s.* 9*d.*, to take to Mr. Dixon's, and I gave him this book to enter it in—I received the book the next morning from another man, but I never saw the prisoner again till he was in custody—I have never seen the goods since—this book is not receipted as it ought to have been in the course of business.

THOMAS PRICE. I am in the employ of Mr. Richard Dixon and Co., of Fenchurch-street. We expected these goods from Messrs. Strutt, but they did not arrive—the prisoner never brought them—I should certainly have known if he had.

JAMES ROBERT GOODSON (*City police-constable, No. 119.*) I took the prisoner on the 3rd of August, in Whitechapel—he said he had lost the property.

Prisoner's Defence. I had other goods in the cart—I went to London-bridge wharf, and delivered two bales there—I had to come up Fish-street-hill, and there was a stoppage of carriages—I had to lead my horse, and when I got to Gracechurch-street this parcel was missing—I delivered the rest of the goods I had—I then went home, left the horse and cart, and went about to make inquiry, and again the next morning—I did not tell my master of it—I had property in the cart worth hundreds of pounds.

GUILTY.* Aged 32.—Transported for Seven Years.

1946. **JOHN SMITH** was indicted for stealing, on the 20th of July, 1 handkerchief, value 2s., the goods of William Henry Burgess, from his person.

WILLIAM HENRY BURGESS. I live in Warren's-yard, Mincing-lane. On the 20th of July, at half-past nine o'clock, I was in Aldgate—I felt something touch my pocket, I turned, and saw the prisoner running across the road, with my handkerchief in his hand—I secured him, and gave him in charge—I saw him throw the handkerchief into the road—I had had it safe a few minutes before.

Cross-examined by MR. PHILLIPS. Q. Did you speak to him? A. No—he did not appear to me to have been drinking.

ALFRED DOWLING (*City police-constable, No. 556.*) I saw the prisoner struggling with the prosecutor—I took him, and have the handkerchief.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy by the Prosecutor.*

Confined Two Months.

1947. **JOSEPH EVERSON** was indicted for stealing, on the 18th of July, 1 order for the payment of 8*l.* 7*s.* 8*d.*, the property of Thomas Watts, his master.

THOMAS WATTS. I am a packer and calenderer, in partnership with Mr. Pellatt. This cheque belonged to an estate to which I was assignee—the prisoner was employed in our warehouse for about two years—I got this cheque from Mr. Brand, clerk to Messrs. Masterman—it was drawn by me on Messrs. Masterman and Co., but had never been made use of—it was filled up in mistake, and left in a drawer in my iron safe, always under lock and key—I suppose I lost it from there about the 22nd of July—in consequence of having lost it, and seeing it again, an officer was sent for, and we went and searched the prisoner's lodgings—a key was found in his pocket, which would open a desk in which the key of the iron safe was kept—but that would not open the drawer in which this cheque was—that must have been picked—how the cheque was taken from that drawer I cannot tell.

Cross-examined by MR. PHILLIPS. Q. How long the cheque might have been out of that drawer you cannot tell? A. I saw it there about a fortnight previous to its being presented—we have fifty or sixty persons in our employ—there is nothing of value in that iron safe except the books—there was a cash-box in the safe—I suppose there were some bills in it,

but I do not know—there was no cash in it—it is a common sized cash-box, about a foot square—I do not keep the key of it—I saw it after it was opened—I did not look at the contents—I will not swear there was no cash in it—the prisoner's father is in our employ—the prisoner can read and write a little—I have seen him write his name in a very bad way.

THOMAS BRAND. I am one of the cashiers in the banking-house of Messrs. Masterman, in Nicholas-lane. On the 18th of July, about half-past nine o'clock, the prisoner brought this cheque to me, dated the 6th of July, 1833—being dated so long back, I called on Mr. Watts, and when the prisoner came again I said to him, "You did not call again about that cheque"—he said, "No, it was a mistake," and I gave him in custody—this is the cheque—I am sure he is the person who brought it.

Cross-examined. Q. When he called again did he not say it was a wrong cheque? A. No—I understood him it was a mistake—this is my deposition—(looking at it)—I dare say he did say it was a wrong cheque, but I attached the same meaning to that as a mistake—I asked him if he had spoken to Mr. Watts, and he told me had not.

COURT. Q. What day did he present the cheque? A. On the Saturday, and he then said he had received it from Mr. Watts—I asked him where he got it as it was a long date.

MR. PHILLIPS. Q. Did you say that before the Magistrate? A. I do not think I did—when I was giving in my deposition I was going to state that, and the person said it was not necessary.

JOHN PAYNE (*City police-constable, No. 534.*) I was present when the key was found in the prisoner's pocket.

Cross-examined. Q. Did not this key open his own drawer? A. It did—I opened it with it.

THOMAS BRAND. I should have paid this cheque if we had had any assets.

Cross-examined. Q. Had you any? A. No—the balance of that estate had been drawn out years ago, but the date would have struck me, and I should not have paid it till I had seen Mr. Watts about it, and asked him if he authorised it.

NOT GUILTY.

1948. JOSEPH EVERSON was again indicted for stealing, on the 18th of July, 12 pieces of tape, value 2s.; and 2 pattern cards, value 4s. 6d.; the goods of Thomas Watts and another, his masters.

JOHN PAYNE (*City police-constable, No. 534.*) I took the prisoner—I went to the residence of his father, where he lives, and with the key which I took from the prisoner I opened a drawer, in which I found these two pattern cards, and these pieces of tape—there was a bed in the room—I do not know who slept in it.

THOMAS WATTS. These pieces of tape and pattern cards were the property of me and my partner—we have lost such—they were kept in the counting-house, in a sort of cupboard—the prisoner had access to that counting-house—he used to clean it out—his father works on our premises, but at a different part of them.

Cross-examined by MR. PHILLIPS. Q. Will you swear that his father might not have access to that counting-house? A. He might—it was open—the prisoner was locked up before these things were found.

NOT GUILTY.

1949. WILLIAM MORGAN was indicted for stealing, on the 9th of August, 25 sovereigns, the monies of Robert Churcher.

ROBERT CHURCHER. I live at Godley, in Somersetshire, and am a farmer. The prisoner lived servant with my father—he had been living with us about nine weeks—I had a box, locked, in my bed-room—I saw it safe and locked last Sunday week, the 9th of August—there were some silk handkerchiefs in it—I did not see the money that day—I had seen it about a fortnight before—there were twenty-five sovereigns, wrapped up in a piece of white paper, in one corner—I went on Monday morning, the 10th, to examine the box—it was then unlocked, and the money gone—the prisoner had left our house on the Sunday evening, without notice—he agreed with us at first for one month, and then he agreed till next Michaelmas—he left about one month's wages due to him—I came to London, and found him at the Bell and Crown inn, in Holborn—I sent for a policeman, and he was taken—there was 16s. 6d. found on him—he lodged in the next room to that in which this box was—two other servants lodged in the house with him, who are still at home.

Cross-examined by MR. CLARKSON. Q. Did you see the money in the box a fortnight before? A. Yes—it might be three weeks—I do not think it was more—I took a sovereign out from twenty-six—I cannot undertake to say that it was not more than a month before—I know I had the key in my pocket—he was quite a stranger when he came to us—I had not seen him with above 1s. or 2s.—it was locked safe on the Sunday morning when I went there to put on my clothes for church—I am sure I locked it—I suppose it is a common kind of lock—the box did not exhibit any appearance of having been forced open—he had no box—he had no clothes but a sleeve-waistcoat and a spare shirt—he brought no box to us—he came to us without any character—we do not inquire about characters—I am a farmers's son—he had 4s. a week, and we paid him the first month, that was 16s., and then he remained another month—I think it was a month the very day he left—he had not asked for any money in the interim—he had no watch while with us.

JOHN WHITE. I keep the Bell and Crown tap, in Holborn. The prisoner arrived there last Monday week, by the Bridgewater coach, at eleven o'clock at night—he had his supper, and went to bed—the next morning, when he was going to pay me, he told me he was a stranger, and as I saw he had some sovereigns, I told him he had better let me take care of them—he gave me fifteen sovereigns, and in the afternoon he asked me for two to purchase something, and next morning he had one—he had no clothes but what he has on—I kept twelve sovereigns, and gave them to Butcher.

THOMAS BUTCHER. I know the prisoner—I saw him last Wednesday morning—he wished me to get him a situation—he said he had got no box, he had got a little money, and wished me to take care of it—I went and got the twelve sovereigns from Mr. White—the prisoner said he had been mowing in the country, and earned them.

Cross-examined. Q. Did he not say he saved them from his earnings during the summer? A. Yes.

WILLIAM MASON (*City police-constable, No. 248.*) I took the prisoner, and found on him 16s. 6d., and this watch, which I suppose is worth about 1l.

GUILTY. Aged 21.--Transported for Seven Years.

1950. **ANDREW CUNNINGHAM** was indicted for stealing, on the

28th of July, 1 glass tumbler, value 1s. ; 1 knife, value 6d. ; and 1 fork, value 6d. ; the goods of John Mason ; to which he pleaded
GUILTY.* Aged 27.—Confined One Year.

OLD COURT.—*Wednesday, August 19th, 1840.*

Third Jury, before Mr. Sergeant Arabin.

1951. **MARY PRICE** was indicted for stealing, on the 8th of August, 1 spoon, value 30s. ; and 1 handkerchief, value 4s. ; the goods of Robert Roberts ; to which she pleaded
GUILTY. Aged 40.—Confined Three Months.

1952. **WILLIAM REEVES** was indicted for stealing, on the 9th of July, 1 handkerchief, value 1s. ; and 1 crown-piece, the property of John Matthews, from the person of Frances Matthews.

FRANCES MATTHEWS. I am the wife of John Matthews, a plumber, and live in Russell-street, Mile-end. On the 9th of July, about nine o'clock in the evening, I was in Aldgate—I had a handkerchief and a crown-piece tied in one corner of it—I felt a tug at my pocket three times, turned round, and saw the prisoner and three others behind me—they appeared respectable, and I did not give them into custody—a person came up and asked if I had lost any thing—I went into a shop and found the handkerchief and crown-piece were gone—I have not got it again—I am quite sure it was safe before I felt the tug—I had other things in my pocket, which were not gone.

Prisoner. The lady said in the shop she had lost nothing. *Witness.* I said I had lost my handkerchief and a crown-piece.

GEORGE FRY. I have been in the East India Company's service. I was walking with my wife, and saw the prosecutrix on the opposite side, and saw the prisoner in company with three others—a gentleman directed my attention to them, and I saw the prisoner's hand at the prosecutrix's pocket—I watched them some time, and then went and collared him with his hand in her pocket—I did not see him take the handkerchief out—the others were close to him, and could have received it from him—I took him into a shop, and the prosecutrix there said she had lost a handkerchief and a crown-piece.

MARIA FRY. I am the wife of last witness. I was with him, and saw the prisoner there, with one alongside of him and two others behind—I saw him try Mrs. Matthews's pocket three or four times, and his hand in it—my husband collared him with his hand in the pocket.

JAMES LAMBOLL. I am a policeman. I took him into custody.

GUILTY.* Aged 17.—Transported for Ten Years.

Before Mr. Baron Gurney.

1953. **JOHN TOOLEY** was indicted for a rape.

GUILTY of an Assault. Aged 40.—Confined Twelve Months.

1954. **WILLIAM SMITH** was indicted for burglariously breaking and entering the dwelling-house of John Willoughby, on the 14th of July, at Harrow, about the hour of one in the night, with intent to steal.

JOHN WILLOUGHBY. I live in the parish of Harrow ; I keep the house. On the night of the 14th of July, about ten o'clock, I went to bed, leaving the house secure—I was aroused in the morning, at one o'clock, by a policeman calling for assistance—I came down and found my house

opened—somebody had got in at the window, and gone out at the door—a small pane of glass was taken out of the window, and the casement opened—the policeman had got the prisoner in custody—I missed two keys, which have not been found—I believe they were there the night before.

Cross-examined by Mr. Horry. Q. You found your front-door open? A. Yes—the window is in front of the house also, about ten feet from the door—I have a shed in the field adjoining the house, thirty or forty yards from the window—I found the street-door wide open—it was the sitting-room window that was open—they could get into other parts of the house, having got in at the window—one key belonged to the coal-house outside, and the other to the victuals cupboard—I keep a beer-shop—there had been very few persons in the shop that evening—I did not see the prisoner there—I never saw him before.

SARAH WILLOUGHBY. I fastened the front-door, before I went to bed, with two bolts and a latch—I used the keys within an hour of my going to bed—I locked the door.

Cross-examined. Q. Where did you keep them? A. I hung them on a nail in the passage.

STEPHEN COLEBROOK. I am a policeman. I was on duty that night at Harrow-hill—about one o'clock I was passing Mr. Willoughby's house, and heard a dog bark—I went and saw the prisoner standing against the tap-room window—he made away for the cart-shed—he and another were there—both ran away—I immediately followed, and secured the prisoner—I gave an alarm, and Mr. Willoughby got up and found two panes of glass taken out, one out of the tap-room window, and another out of the front—there was a bar there—they could not get in, but at the room window they could get in—I took him to the station-house, searched him, found this knife in his possession, and a pipe, 8s. 6d. in silver, and 5d. in copper.

Cross-examined. Q. The prisoner was standing against the window? A. Yes—the glass was taken out carefully—one was a small diamond square.

COURT. Q. When a hand was put in, could a man open the window? A. Yes, and the window was open—he had this pair of shoes under his arm, and this waistcoat—the other man was near enough to touch the prisoner—when the prisoner was taken he said he was only going to lie down—I asked what he ran away for—he said he did not know, he was afraid there might be a *bother* about it.

NOT GUILTY.

1955. RICHARD DAVIS was indicted for feloniously breaking and entering the dwelling-house of Thomas Gilby, on the 18th of July, at St. Peter's, on Cornhill, and stealing therein, 1 pair of trowsers, value 1l.; 1 pair of stockings, value 3s.; 1 pair of socks, value 1s.; 1 pair of boots, value 15s.; 4 collars, value 1s.; the goods of William Still: and 1 coat, value 10s., the goods of Edwin Skilbeck.

WILLIAM STILL. I am in the employ of Mr. Gilby, at the Woolpack Tavern, St. Peter's, Cornhill. My property was in a box, on the first-floor back room—I saw my box safe on Friday, the 17th of July, about six o'clock in the evening—I did not miss it till Saturday the 18th, about one o'clock—I found the box forced open in the morning—the window was found open, but not by me—I lost a pair of trowsers, a pair of silk stockings, a pair of half-hose, and four collars; and, from a cupboard in the same room, a pair of boots.

Prisoner. Q. When I lived at the Woolpack, had I not great opportu-

nities of robbing the house? *A.* Yes, he had lived there, and had frequent opportunities of robbing me of money.

EDWIN SKILBECK. I am waiter at the Woolpack. On Saturday morning, at nine o'clock, I found the dining-room window open, which I had closed the night before, about nine o'clock—it looks into Corbet-court, at the back of the premises—the court is open, but there is no thoroughfare—a person could get to the window by climbing up the spout at the side—the prisoner had left about three months—I had seen him near the house, and spoke to him, shortly before, and I had seen him twice besides, but not spoken to him—I lost a coat from the room the same night—this is it—(*looking at it*),

JOHN HENRY ALDRIDGE. I am assistant to Ann Aldridge, a pawn-broker, in Orange-street. I have a coat, pawned on Saturday morning, the 18th of July, by the prisoner, in the name of Charles Sparks, No. 3, Red Lion-street.

WILLIAM MARSHALL. I am in the service of Mrs. Newby, a pawn-broker, in Drury-lane. I have a pair of boots, pawned on Saturday evening, the 18th of July, by the prisoner, to the best of my belief, in the name of John Reeves, No. 14, Drury-lane.

JAMES BAYLISS. I am in the service of Burgess, of Long-acre—I have a pair of trowsers, pawned on the 18th of July, in the evening, by the prisoner, to the best of my belief.

HENRY HEAD. I am a policeman. On Saturday night, the 18th of July, I was coming from London-wall—I heard a cry of "Stop thief," and stopped the prisoner, who was running, pursued by several persons—I took him to the station-house, and found a pair of black silk stockings, a pair of half-hose, four collars, and three duplicates on him, for a handkerchief, trowsers, and watch—the trowsers are those produced.

WILLIAM STILL *re-examined.* All these things are mine but the coat, and were lost out of the room that night—the value of my property is 2*l*.

Prisoner. Did you ever know me rob you of a farthing while there?

A. No, I had reason to believe him very honest—there were half-a-dozen spoons and sugar-tongs in the box—Mr. Gilby would not have taken him into his service without a good character.

(The prisoner expressed his contrition, and pleaded poverty.)

GUILTY. Aged 19.—*Recommended to mercy.*—Confined Six Months, One Week in each Month Solitary.

1956. **WILLIAM WOOD** was indicted for burglariously breaking and entering the dwelling-house of Henry John Frodsham, on the 27th of July, about the hour of four in the night, with intent to steal, and stealing therein 1 shift, value 1*s*.; 1 shawl, value 2*s*.; the goods of Elizabeth Flershein: 1 time-piece, value 5*l*.; 1 writing-desk, value 2*l*.; 11 spoons, value 3*l*.; 4 sheets, value 2*l*. 10*s*.; 1 waistcoat, value 5*s*.; 1 table-cover, value 5*s*.; 1 pair of sugar-tongs, value 12*s*.; 2 knife-rests, value 3*s*.; 1 sovereign, 6 half-crowns, and 1 5*l*. Bank-note, the property of Henry John Frodsham.

ELIZA FLERSHEIN. I am in the service of Mr. Frodsham, Charles-square, Hoxton. I was in care of the house. On the night of Monday, the 27th of July, I went to bed between eleven and twelve o'clock—the house was safe—I was awake between four and five o'clock in the morning—I

heard a *cab* driving round the side of the house—it is a corner house—I got up between five and six o'clock, and found the house had been broken into by cutting a piece out of the back shutter, large enough to put in an arm and shoulder—the button had been unbolted—I missed the articles stated from different parts of the house, some from the front parlour, some from the back, and some from the kitchen—they had got out through the side-door, which was opened from the inside—it was bolted when I went to bed.

JAMES CLIFFORD. I am a policeman. On Tuesday morning, the 28th of July, about a quarter to five o'clock, I was in Curtain-road, about three quarters of a mile from Charles-square, and saw a *cab* passing along, followed by a young man whom I knew to be a regular thief, which caused my suspicion, and when the *cab* came to the corner of Worship-street I saw the man go and speak to the *cab*-man, and after that, the *cab* passed down the left hand of Worship-street—I immediately followed it, and at the corner of Worship-street the man who was following the *cab* made a full stop—he turned round to me when I passed him, and said, “Is that a quarter to six o'clock?”—I answered, “It is a quarter to five”—I took no further notice of him, but still followed the *cab*, and called to the *cab*-man to stop—the prisoner was driving—I called quite loud enough for him to hear—he did not stop—I still pursued, and saw my brother officer, No. 41, coming towards me—I called to him to stop it, which he did—I went up, and opened the *cab*-door, and saw this property, tied up in a table-cover—I took him to the station-house, and asked where he got the property from—he said he was called off Shoreditch rank by this young man, to take up in Hoxton-square—I asked him where he was going to take him to—he said to the first coffee-shop on the left, in Shoreditch—I left No. 41 in care of the *cab*, and returned to endeavour to apprehend the man who was following the *cab*, but did not catch him.

Cross-examined by MR. PHILLIPS. Q. Do you know whether the man was taken the next day? A. No, not next day—he was taken—I saw him in custody in the presence of the prisoner—the prisoner did not identify him in my presence—his name is Gilchrist—he was discharged for want of evidence.

HENRY CHAMBERS. I am a policeman. I was in Worship-street, and saw the *cab* coming along—Clifford called to me to stop it—I spoke to the prisoner, and he stopped—I was ahead of him—if he had not stopped I should have stopped him—I found the property in the *cab*—when I asked how he came by the things, he said he was called by two men off the rank by Shoreditch church to take up in Hoxton-square, which is not half a mile from Charles-square.

Cross-examined. Q. Did you call to the *cab*-man to stop? A. Yes—I had not gone many yards before the prisoner pointed out to me a man, and said, “That is the man”—that man’s name was Joseph Gilchrist—I turned round, and saw No. 91 coming up—I jumped off the *cab*-box, and ran after Gilchrist, but did not apprehend him that morning—I did two days afterwards—I did not hear my brother officer call to the prisoner to stop.

HENRY JOHN FRODSHAM. I live in Charles-square. I did not sleep in the house that night, I slept in the City—when I came home in the morning I examined, and found a hole made in the shutter from the garden, the window lifted up, and they had got in—these things are all mine ex-

cept one or two of my servant's—the spoons are still missing—Charles-square is two or three hundred yards from Hoxton-square.

MR. PHILLIPS *called*

JAMES SPARKS. I am a driver of a *cab*. I remember the Tuesday morning the prisoner was taken into custody—I saw him on the rank that morning in Shoreditch—he left it early that morning—I saw one person speak to him, and another besides standing on the pavement—they were young men—the prisoner was ordered to go with the *cab*—I did not hear what was said to him—he drove off.

COURT. Q. How many *cabs* were on the stand? A. Six on the rank, and four in front—to the best of my knowledge it was a quarter before five o'clock.

WILLIAM HERITAGE. I am instructed by the prisoner about this case—I know Hoxton—I should say Charles-square is within 150 yards of Hoxton-square—they are so near as to be frequently mistaken—about a week before this occurrence I was sent to No. 8, Charles-square, and found it was Hoxton-square.

(The prisoner received a good character.)

NOT GUILTY.

1957. RICHARD HARRIS, *alias Perkins*, was indicted for feloniously and knowingly uttering a counterfeit shilling to Ann Noah; having been previously convicted of uttering counterfeit coin.

CALEB EDWARD POWELL. I am assistant solicitor to the Mint. I produce a copy of the record of the conviction of Richard Harris, *alias Perkins*—(*read.*)

GEORGE THORNTON. I am a policeman. I know the prisoner—he is the person mentioned in the record—I was present at his trial.

ANN NOAH. I am the wife of Japheth Frederick Noah, a tobacconist, of No. 8, Upper St. Martin's-lane. On Wednesday morning, the 4th of August, the prisoner came into the shop about eleven o'clock, and asked for half-an-ounce of tobacco, which came to 2*d.*, and laid me down a counterfeit shilling—I discovered it to be bad, and told him so—he left the shop—about half-past one o'clock he came again, asked for half-an-ounce of tobacco, which came to 2*d.*—I served him—he gave me a half-crown—I noticed it was good, and was very much worn down—I noticed two marks on the side—I gave him a shilling, two sixpences, and four penny pieces—I laid it down on the counter—he took it up, and then said, “I want the 1½*d.* tobacco”—I said, “I have not got any”—he said, “I must have it, or return me my money”—I gave him the half-crown back, he laid down the change, and I noticed there was a counterfeit shilling among it as he was going out of the door—I called to him, “You villain, you have given me a bad shilling in the change”—he took no notice, but ran away—I pursued him—I am quite certain it was not the shilling I gave him, as I had but one shilling in my pocket, which I took out with the two sixpences out of the drawer—I noticed the shilling I gave him had a lion and a crown on it—when I got outside he was walking very quick, and looked over his shoulder—he saw me, and took to his heels—I ran as hard as I could, and called “Stop thief”—he ran into Lascelles-court—I saw a policeman there, and informed him—I took the change that was on the counter in my hand, marked it, and gave it to the policeman—I saw the prisoner in custody that evening.

Prisoner. I was not in the shop. *Witness.* I am quite sure of him.

WILLIAM HOWARD. I am a policeman. I was on duty in Earl-street, Seven Dials, about half-past one o'clock in the afternoon, and saw the prisoner running at the head of a mob—I ran after him into Lascelles-court, and in consequence of what I heard, went to a house in Salutation-court, which leads out of that court, and found the prisoner in a loft at the top of a house—I told him he was the man I wanted—he said nothing, but put half-a-crown into his mouth, which I took out, and produce—I searched him at the station-house, and found nothing—I afterwards saw Mrs. Noah at the station-house—she gave me a counterfeit shilling, which I produce—she identified the half-crown, as being very much worn, and having two marks at the side, before she saw it.

MR. JOHN FIELD. I am inspector of counterfeit coin. This shilling is counterfeit—the half-crown is a good one—it is not a lion and crown shilling—here are two marks on the edge of the half-crown.

Prisoner's Defence. I was never in the shop at all; I know nothing about the counterfeit shilling—at the station-house the lady said I was not the person, and she sent another woman, that said I was not the person. A pot-boy, also, said I was not the person.

GUILTY. Aged 34.—Transported for Ten Years.

1958. **WILLIAM AMES**, *alias Ranger*, was indicted for feloniously and knowingly uttering a counterfeit shilling to Esther Calvert, having been previously convicted of uttering counterfeit coin.

CALEB EDWARD POWELL. I produce a copy of the record of the conviction of William Ames, *alias Ranger*—it is a true copy—(read.)

CHARLES THORP. I am a clerk, and live in New-street-hill. I know the prisoner, he is the person mentioned in the record of conviction—I was present at the trial.

ESTHER CALVERT. I live with my brother-in-law, Mr. Stowe, a tobacconist in Barbican. On the 9th of July, the prisoner came into the shop for 1d. worth of tobacco, about half-past six o'clock—I served him—he paid me 6d.—I gave him 5d.—he took the tobacco and change, and left—I put the sixpence into the till, where there was 2s. 2d., but no sixpences—in about ten minutes I went to give change for half-a-crown, and found it was bad—nobody had been to the till in the interval—I took it out, and put it under a jar at the back of the shop, which quite covered it—I went to the jar again, when my brother came in, in about two hours, and I showed him the sixpence under the jar—I put it in the same place again—it remained there till half-past eleven o'clock—nobody was in the shop before my brother-in-law came in—about half-past eleven o'clock at night I was in the shop—the prisoner came again and asked for 1d. worth of tobacco and a pipe—I served him, it came to 1½d.—he gave me a shilling, which was a good one, for I examined it—I was going to give him change for it—he had not asked for the pipe then, but when he saw I was going to give him change, he had a pipe—I said it came to 1½d. together—he then said, “I shall not want change, I have halfpence sufficient,” and put down 1d. and took the shilling up—I said, “A penny will not pay five farthings”—he said, “Then I must have change,” and put me down another shilling, which I saw was a bad one—I took it in my hand, my brother-in-law was in the parlour—I walked along the shop, and said, “This man has brought me a bad shilling, and he is the same man as brought me the sixpence before”—he said, “Give me that, and I will give you another”—I refused to give it to

him, and then he threw 2d. on the counter—I would not give him the shilling—and when he saw my brother come out, and call out, “Stop him, do not let him go,” he threw his pipe down and ran away—my brother went after him and brought him back in about two minutes—a constable was sent for—he was detained in the shop, and said to me, “If you give me that, I will give you another; you say you have a bad shilling, let me see it”—I said, “No, you shall not see it, the policeman shall see it;” I gave it to the policeman, and after he was secured I went to the jar, found the sixpence, and gave that to the policeman.

HENRY BROOKWELL. I am a City police-constable. On the 9th of July I was on duty in Barbican—my attention was attracted to Mr. Stowe’s shop, about half-past eleven o’clock—I went and found the prisoner there, took him into custody, and received a shilling from Calvert, and a sixpence, which I produce—I searched him, and found two penny-pieces and some tobacco—he resisted in a very violent way.

Cross-examined by MR. PAYNE. Q. Have you kept the shilling and sixpence ever since? A. Yes, I am certain they are the same, I marked them myself, and there was a cross put on them before we parted with them.

MR. JOHN FIELD. These coins are both counterfeit.

GUILTY. Aged 20.—Transported for Ten Years.

1959. WILLIAM GATES was indicted for unlawfully, maliciously, and feloniously assaulting John M’Carthy, on the 1st of August, and stabbing and wounding him in and upon the left side of the chest, with intent to maim and disable him:—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

JOHN M’CARTHY. I am a labourer, and live in Marchmont-place, Little Coram-street. I was at the Brill public-house, Somers-town, on Saturday night, the 1st of August, about a quarter before twelve o’clock—the prisoner was there, and we had two or three words—he *shoved* against me—I asked what he did that for—he told me he would smack my face—I did not *shove* against him in return—I walked outside, and stood there till he came out, and he leant up against the railing—I went over to him and asked what he insulted me for in the house—I merely put my hand on his collar, and he took and ran a knife into my side—here is the wound—I attempted then to strike him, but fell back against the railing, and told Grady I was stabbed—he went over to catch hold of him to give him into custody, and he made a *dart* with the knife at Grady, and if he had not stood back he would have put the knife into his belly—I was taken to the station-house, and sent from there in a *cab* to the hospital—I was only there one night—I had my waistcoat, jacket, and shirt on—the knife went through them all.

Cross-examined by MR. PAYNE. Q. Was Grady before the Justice? A. No—I did not offend the prisoner at all—we had two or three words—there was no blow given by me at all, nor by Grady—I was in company with Grady and two or three others—none of them struck the prisoner—I work for Mr. Hill, near Pancras Church, who has houses of his own—I do jobs about the place for him—any thing in the labouring line—I had work from him on the Monday morning, and this happened the Saturday night—I was working for him all the week before—I work there ten hours in the day, emptying cesspools and colouring walls at his different houses—the prisoner and I did not get to high words—I did not catch hold of his collar—I put

my hand on his collar to ask what he insulted me for—it was a quarter before twelve o'clock when we were inside, and half-after twelve this happened outside.

Q. How did it begin? *A.* Young Grady went over to him and spoke to him; he had some words with Grady, and I went over, and he took and *shoved* me—I had done nothing to him—I saw Mitchell outside—I did not see Spurrier—there was no woman there—I could not tell if there were two women in the prisoner's company—there were a good many people in the house—I was drinking with about three others—I did not say I would strike him, or use any offensive expression to him, nor did Grady threaten to do so in my presence—I did not ask the prisoner to fight—he did not say he was not capable of fighting with me—I and my companions did not give him several blows, no blows were struck at all—Grady is a labourer—I have no other means of getting my living than I have mentioned—just before this a man named Sullivan and another came down and awoke me out of bed on purpose to fight me—Sullivan brought a poker—I am often in Grady's company, but not with the others.

ALFRED STANFORD. I was at the Brill public-house on the 1st of August, at a quarter before twelve o'clock—I saw the prisoner and prosecutor there wrangling inside—I do not know what they were wrangling about—M'Carthy went out, and the landlord turned the prisoner out—I went out about a minute after—I had seen no blows take place before they went out, nor any *shoving*—they were talking and wrangling—after I was outside I saw them wrangling again for eight or ten minutes—I then saw the prisoner put his hand into his pocket and pull out something, but what I could not see; but it appeared an instrument—he placed his right hand behind him, M'Carthy went up and clapped his hand on the prisoner's shoulder, the prisoner then took and plunged it into his side—M'Carthy hallooed out, "He has stabbed me, I felt him pull it out of my side"—he was taken into custody—the prosecutor had not given him any blows that I saw.

Cross-examined. *Q.* Did not the landlord turn them both out? *A.* No—I can swear that—he is not here—I was not with M'Carthy—I was on the opposite side taking a pint of beer—I knew all the parties—I had been in the house an hour and a half—I cannot say how the matter began—the place was full—I afterwards saw that the prisoner's thumb was cut and bleeding.

COURT. *Q.* Did the prisoner say any thing about that? *A.* Yes; he hallooed out, "I am stabbed in the thumb"—that was after the prosecutor had spoken of being stabbed—I did not find the knife.

JOHN ROSE. I was at the Brill public-house that night, and saw M'Carthy and Gates—I saw M'Carthy go out, and the landlord and one of the barmen came over the bar, and put the prisoner out—I remained in about ten minutes afterwards, and then went out—I saw a jangling between Gates and M'Carthy—I stood just behind M'Carthy—Gates took his hand from behind him, and said, "You b——" or "You b—— b——, I will stab you," and then plunged his hand towards him as far as he could—I did not hear any other words to my knowledge—M'Carthy said, "I am stabbed"—I was then in the act of going round to catch hold of Gates, when the policeman dashed in and secured both of them, and prevented my going near Gates—I stood at the station-house door, and when M'Carthy came out to go to the surgeon I went with him—he was wounded in his side—he was taken to the doctor's shop, and there he fainted away,

with my pressing his wound up with a handkerchief—a cab was brought, and we took him to the hospital.

Cross-examined. Q. Did you see the prisoner and prosecutor quarrelling in the Brill public-house? A. I saw some sort of jangle between them, but was not near enough to hear any words pass—I did not see the landlord turn M'Carthy out—he turned Gates out—I was examined before the Magistrate—I did not see what Gates had done to be turned out, but I was in there a very short time previous—I heard some words passing, but did not pay particular attention till I saw Gates turned out.

Court. Q. How long did you stay in the house after Gates was turned out? A. Between five and ten minutes as near as possible—I never knew M'Carthy before—I cannot recollect how it began—I was at a distance.

ALFRED VIGOR (*police-constable S 116.*) I was on duty in Weston-street, and saw a great mob before the Brill public-house—I went up, jumped right between them, and caught hold of the two middle ones, who were scuffling—it was M'Carthy and Gates—Gates said he was stabbed in the thumb—M'Carthy said he was stabbed in the side—we took them to the station-house.

Cross-examined. Q. How long have you been on this beat? A. About two months—I know the Brill public-house well—I did not know the prisoner or prosecutor before.

JEREMIAH LOCKABY. I am a policeman. I was on duty shortly before twelve o'clock, and saw a mob of people round the door of the Brill public-house—I went up, and saw the prisoner hold up his hand and say, "I am stabbed"—some blood was running out of his thumb—M'Carthy turned round and said, "I am stabbed"—I said, "Where?"—he pointed to his side, and said, "Here"—he was bleeding from his side, and said he was very weak—I assisted him to the station-house, and told the other constable to bring the prisoner—I came back to see if I could find a knife—I could not find it then as it was rather dark, but as soon as it was daylight I found this penknife about two yards from where the disturbance took place—it was open, and was on the step of the public-house door—there was blood on it—I saw M'Carthy's jacket, waistcoat and shirt—there is a hole in them just about the size of the knife—it is a very small hole—we could not find it for some time—the wound appeared about an inch in width.

GEORGE SIMPSON. I was outside the Brill public-house. I saw M'Carthy come out, and then the prisoner—after they were both out I saw the prisoner open something, which I believe to be a knife—I went up to him and advised him to go away, and put the knife away—he said he would not, that if any of them came near him he would use it—the prosecutor was coming towards him—I placed my right-hand against his chest to stop him, and the prisoner made a thrust and stabbed me in the hand—I went out from the crowd, and heard a cry of "He has got a knife, he has stabbed the man"—I did not see M'Carthy hurt—I went away directly.

Cross-examined. Q. Where was Gates when you got the cut in your hand? A. Standing by the railings of the Brill public-house—I had not been inside the house at all—he did not seem to be excited as if there had been any quarrel, I swear that—I did not know him before—the prosecutor was advancing towards him when I put my hand to keep him away—he did not touch him.

JOHN GRADY. I was at the Brill public-house on the Saturday night,

in company with M'Carthy—a quarrel took place with Gates—they had a few words inside the Brill public-house, nothing more than words—it was something about pushing—I did not exactly know what it was at first—I walked out just close after M'Carthy—the prisoner came out soon after—I heard nothing pass afterwards, for I walked a distance on—M'Carthy stopped and talked to him—I did not see M'Carthy hurt—Gates and I did not have any quarrel, not a word—I did not give him any blow, nor did he give me any—I did not threaten to give him any blow.

Cross-examined. Q. You were the first person that had words with Gates? A. No, I did not have any words with him at all, it was M'Carthy—I had nothing to do with it at that time—I have been acquainted with M'Carthy a long while—I get my living by hard work—I am a labourer, and work for any body that will give me work—I did not ask Gates to give me any beer, nor did M'Carthy, that I know of—I did not hear what M'Carthy said—the matter began by pushing—I did not begin the matter myself—the last person I worked for was a gentleman named Binn, in Park Cottages, Regent's Park—I had been working during that week, not for him—I hardly know the name of the person—it was a gentleman near Battle Bridge—it was plastering work—I did not strike the prisoner myself, nor see him struck—I never said I would do him any harm, nor any thing of the kind.

JOHN M'CARTHY *re-examined.* I cannot form any judgment how deep the knife went into me—I lost a great deal of blood—my shirt was full of it—I am not quite recovered now.

Cross-examined. Q. I believe you went to the station-house, charged the prisoner first, and then went to the hospital? A. Yes—I remained there that night, and came out next morning—I was not discharged.

THOMAS MORTON. I am a surgeon at the University College Hospital. M'Carthy was brought there on the night of the 1st of August, with a stab on the left side, in the region of the heart, about four inches deep, but in a slanting direction—he was kept in the hospital during the night, and went away at his own request next morning—the wound as it was was not dangerous—the slanting prevented it—if it had penetrated directly straight it would have killed him—I should have thought it had been a larger instrument than this knife that inflicted the wound; but if the knife were drawn out not exactly straight, that might enlarge the wound, so as to make it appear to be inflicted by a larger knife—the wound in the flesh was three or four times as large as the hole in the jacket and shirt—the aperture in the shirt is such as this knife would make.

Cross-examined. Q. If you had not seen that knife you would have supposed it to have been a larger one? A. Yes, from the outward appearance of the wound—I see no difficulty in there being a small hole in the shirt, and yet the cut being produced by the same instrument.

COURT. Q. The aperture in the shirt could not be made by a larger instrument? A. No.

MR. PAYNE *called the following witnesses:—*

AMELIA SPURRIER. I am single, and live in Lucas-place, Tonbridge-street, New-road—I get my living usually by charing and other work. I was in the Brill public-house on Saturday night, the 1st of August—I and the prisoner went in together to have some beer with Caroline Gorman and Joseph Mitchell, about half-past eleven or a quarter to twelve o'clock—we all four stood together—I saw M'Carthy there when we went in—as

we were standing, drinking, Grady came up, and asked the prisoner for some beer, which was refused—upon which Grady *smacked* him in the face—the blow was repeated a second time, and after that Mitchell took it up—the barman turned Mitchell out—the moment he was turned out the gas-lights were put out, and the observation was made, “Don’t put the lights out, some of us will be killed”—at that moment M’Carthy came and caught hold of the prisoner, and dragged him out of the place—we, being females, did not think it proper to go out in the mob, and continued there till the mob was dispersed—as soon as they were dispersed a little, we went out, and the first cry was that Gates was stabbed in the thumb, and the blood was pouring—I went to the station-house—there were several persons in company with Grady and M’Carthy, but I did not know them.

JOSEPH MITCHELL. I am a mariner. I was at the Brill public-house on the 1st of August, in company with the prisoner and Spurrier—we called for a pot of beer between us—a person named Connor and Grady were sparring together—Grady hit the prisoner in the face—they put the gas out—the barman came and took me out—I stood outside the door three or four minutes before the rest came out—they all rushed out together—Grady had hold of one collar of the prisoner, and M’Carthy the other, and they shook him—when they came outside M’Carthy struck the prisoner, and they rushed into one another—I cannot say which used the knife—I saw no more of it.

HENRY BRETT. I am in the coal line. I was in the public-house, and saw the prisoner and prosecutor there—the prosecutor said, “Are you going to *stand* a pint of beer?”—the prisoner said, “No, I ayn’t”—he instantly *up* with his hand, and gave him a smack on his mouth, and kept pushing him, to insult him—they put the lights out, and bundled them all out together—when they got out they got fighting together—the prisoner said, “By G— you have cut my thumb off,” and the prosecutor said, “You b—, you have stuck me”—I said to the policeman, “Take them both, and you are sure to have the right one.”

(John Ayliff, a bricklayer; and John Stokes, labourer; gave the prisoner a good character.)

GUILTY. Aged 19.—*Recommended to mercy.*

Transported for Twelve Years.

Fourth Jury, before Mr. Recorder.

1960. JAMES KITCHENER was indicted for embezzlement; to which he pleaded

GUILTY. Aged 33.—*Confined Three Months.*

1961. JAMES CHANEY was indicted for stealing, on the 12th of July, 3 shillings, the monies of Arthur Stert.

ARTHUR STERT. I am a merchant, and live in Connaught-square, with Mr. Boodle, my son-in-law—the prisoner was his servant. On the 10th of July I missed two shillings out of my purse—Mr. Boodle and myself had put it into the purse the night before, in consequence of suspicion—on the 12th of July I lost three shillings from my purse—the prisoner was in the habit of coming into my room to take my clothes to brush—he did so on the 12th of July—I was awake—the money had been counted the previous night, and immediately he left the room I counted it, and missed three

shillings—nobody but him had been in the room—Mr. Boodle and myself counted it over—this was on Sunday, and after church the prisoner was called in—I told him that I had missed 3*s.* that morning—he denied taking it—Mr. Boodle asked him whether he had any money in his pocket—he said he had only 2*s.* $\frac{1}{4}$ *d.*—Mr. Boodle asked if he was certain 2*s.* $\frac{1}{4}$ *d.* was all he had—he said it was so—a policeman was called in to see if the plate was correct—Mr. Boodle told the policeman the prisoner must take off his clothes, for he could not think of keeping him—I was not present when they were taken off—I had put the purse on the chimney-piece.

Cross-examined by MR. CHAMBERS. Q. What part of the house did you sleep in? A. In the first-floor back room, on the same floor as the parlour—I never lock my door—I sleep very sound—I put 12*s.* into my purse on Saturday night, the 11th, in the drawing-room, before I went to bed—I got up about eight o'clock in the morning—the prisoner had been in the room to take my clothes to brush, and returned with them—I was perfectly awake when he came for the things—he opened the shutters—he awoke me at a quarter before eight o'clock, and when he came back with the clothes he told me the time—my daughter and two female servants live in the house, besides Mr. Boodle and myself.

WILLIAM CHILVERS BOODLE. The prisoner was my servant—I saw what money my father-in-law put into his purse, two or three times, and on the 11th of July, about twelve o'clock at night, I counted the money in his purse—next morning 3*s.* were missing—after speaking to the prisoner, I determined to have the plate counted, and sent for a policeman, and left him in the pantry with the prisoner—he said several times he had only 2*s.* $\frac{1}{4}$ *d.* about him—the policeman afterwards gave me some information, and I said to him “How is this, you told me you had only 2*s.* $\frac{1}{4}$ *d.*, when here is 5*s.* found on you,” which the policeman said had fallen out of his boot—he said it slipped down his trowsers—I asked why he did not tell me he had it about him—he said it was money he had saved to buy some shoes.

Cross-examined. Q. What was he? A. Footman—I clothed him—all the clothes he had on were mine, but not his boots—he had been fifteen or sixteen months living with me—I told him it would be better to admit it at once, as there was nobody else in the house could have taken it, and said, “If you don't account for it, we must part”—he still continued to deny it—I paid him 20*l.* a-year quarterly—he was allowed 2*s.* 6*d.* a-week for beer—I do not know whether he always drank the quantity he was allowed—the cook said she thought he had only had beer once or twice that week—I did not say, “Show me what you have got”—it appeared very plausible that he should save 2*s.* $\frac{1}{4}$ *d.* out of a half-a-crown—he always wanted his money when it became due—my plate was perfectly correct.

EDWARD CALLAHAN. I am a policeman. I was called in to Mr. Boodle's, and went down stairs with the prisoner—he was required to leave his livery behind—he took his coat off—in taking off his right boot 5*s.* came out with it, and dropped on the floor—it was between the stocking and the boot, wrapped up in a piece of paper—I picked it up, and said, “What is this?”—he said, “It is some change that belongs to me”—I said, “How did it come into the boot?”—he said, “It must have slipped out of my pocket into the boot”—I examined his pocket, and there were no holes in it—I said so to him—he said he must have made a

mistake, and let it slip down instead of putting it into his pocket—I remarked to him that he would have been conscious of having it in his boot—he made no answer to that—when he had put his clothes on, he asked me for the money—I told him I would not give it him till I had let Mr. Boodle know of it—he went and called Mr. Boodle, at my desire, and I told him what I had found—Mr. Boodle asked him how he had the 5s. when he had told him previously that he had only 2s. $\frac{1}{2}$ d.—he said he had saved it out of his beer-money to buy boots—he had 2s. $\frac{1}{2}$ d. in his waistcoat-pocket besides—when we got to the passage, he laid hold of the table, and resisted going out of the house, and in the street he laid hold of a lamp-post on one occasion, and an iron-railing on another—he wanted me to go to a public-house and have something to drink, and to let him go—I told him, “I cannot let you go, here is the gentlemen coming to charge you”—he said, “No they won’t, if you let me go they will not say any thing.”

Cross-examined. Q. Had you told him you were going to take him to the station-house when he took hold of the table? A. Yes—he had Wellington boots on, and trowsers strapped down—he had not pulled off his trowsers or stockings—he had unstrapped his trowsers—his pockets were at the side.

ARTHUR STERT *re-examined.* I always put my clothes on the back of a chair close by the chimney-piece—he took them from there—I always put the purse at the end of the chimney-piece close to the chair—I did not look to see what was done at the chimney-piece, because I thought if I did look, he would not do what he did afterwards, but immediately on his going out of the room a second time, I counted the money in the purse, and found 3s. short—I did not mark the money—I counted it on my bed—I could not have lost the 3s. in counting it—I was very careful about that.

MR. CHAMBERS. Q. How far is the chimney-piece from your bed? A. I suppose five or six yards—the chair was close to the chimney—it is rather a spacious room.

JURY. Q. Do you think he withdrew the purse from the room? A. I do not know whether he took the purse down stairs, looked into it, and took the money, or whether he took it while at the end of the chimney-piece—I thought the purse looked as if it had been moved, but I would not be sure—I do not recollect the position in which I left it the night before—I did not look at the purse when he went out of the room the first time, but when he went out the second time, I got out of bed, and counted the money—it was a long purse—I think he was long enough by the chimney-piece the first time he came in to have taken the money out of the purse, supposing I was asleep—the window shutter was shut the first time he came in—he opened it when he came in the second time with the clothes, and told me the hour—he might have had access to the purse on two occasions, before the shutter was open—I do not sleep with my door locked—a person might possibly come into my room in the night and take it—there are two female servants in the house—they were all shillings in the purse.

NOT GUILTY.

1862. MARY ANN WHITMORE was indicted for stealing, on the 9th of August, 4 shillings and 1 sixpence, the monies of Henry Brown, from his person.

HENRY BROWN. I live in Tottenham-street, Tottenham Court-road. On the 9th of August I was in the New-road, just by the rails of Euston-square, about two o'clock in the morning, returning home from a friend's house—I had two half-crowns, 5s. and a 6d. about me—I saw the prisoner coming towards me—when she got within about six yards of me, she suddenly ran, and came with that violence against me, I must have fallen down if I had not laid hold of the rails—she put her hand round my body, under my coat, saying, “I am in great distress, can you relieve me?”—she was off in a moment—I heard money jink in her hand—I put my hand into my pocket, and missed 4s. 6d.—I ran after her, calling, “Stop thief”—I overtook her about thirty yards off, and told her she had robbed me—she said, “What of?”—I said, “4s. 6d.”—she put her hand behind her—I tried to catch hold of it—she then put her hand to her bosom—I heard money jink in her hand when it came from her bosom—I took hold of her hand, and held it till I got to the policeman—she said if I did not let her hand go, she would knock my b— eyes out, and that she had no money in the world—I gave her hand over to the policeman—he asked what she had in her hand—she said “Nothing”—he forced her hand open, and found 2s. 6d.—on the way to the station-house she dropped 1s., which I took up and gave to the policeman.

Prisoner. Q. Did you not follow me, catch hold of me, and want to drag me back to the square? *A.* No—I did not tell you I would give you 1s.—I did not want you to go with me to the step of a door—it is false—I never touched you till you violently ran against me—I never lost sight of you.

JOHN EATON (*police-constable S 193.*) I was on duty, and heard the cry of “Stop thief” and “Police”—I ran up and found the prosecutor and prisoner together—he said, “This woman has robbed me of 4s. 6d.”—her right hand was clenched—I asked what she had there—she said, “Nothing”—I opened it and found 2s. 6d.—she then said, “It is a d—d lie, he wanted to go with me, and I would not let him”—on the way to the station-house a shilling dropped from her person, and it was picked up—she then said, “I had three shillings and two sixpences”—there was a fourpenny-piece and fourpence in copper in her pocket, which she said she had got as she went along—they were both sober—she gave two or three different accounts going to the station-house.

Prisoner's Defence. He asked me to go with him—I said I would not—he offered me 1s.—I said it was too little—he dragged me by main force, and wanted me to go with him to the step of a door—I said, “Why not take me to a house, if you want me?”—he said, “Where is there a house?”—I said, “There are plenty close by here”—he said, “I will give you a shilling, which is all I have got”—I said, “Give it to me”—he would not, and wanted to force me down at the step of a door—I ran away, and he hallooed out that I had robbed him—I said I would show him all I had—I pulled out my money—he caught hold of my hand, and tried to wrench it from me—I called the police first.

HENRY BROWN *re-examined.* We were not within a hundred yards of any door.

GUILTY*** Aged 28.—Transported for Fifteen Years.

1963. JOHN M'DONALD was indicted for stealing, on the 21st of

July, 2 metal cocks, value 20s., the goods of Russel Pontifex, his master; and HENRY MANCER, for feloniously receiving 1 metal cock, part of the said goods, well knowing it to have been stolen; against the Statute, &c.

RUSSELL PONTIFEX. I live in Upper St. Martin's-lane. M'Donald was my errand-boy for six or eight months—I have missed some brass cocks—about half-past six o'clock, on the 22nd of July, I went into the counting-house, and observed a metal cock lying down in one corner, knowing it should not be there, I requested the prisoner to sweep the counting-house out, which was his business, he did so, while I walked up and down the front shop—I then found the cock moved from one corner and hid behind an old almanack board—nobody had been there but him—I set him to mind the front-shop while I went up stairs—I returned in about five minutes, and then missed the cock—I called M'Donald to me, and he said he had not seen it—I told him it was gone, and nobody could have taken it but him, and requested he would show me what he had done with it—he then showed me that he had put it in a part of the shop where the shutters are kept—he stooped down, took it up, gave it to me, and fell down on his knees, and begged my forgiveness—I left him in charge of my clerk, and fetched a policeman—in consequence of inquiry which I made my attention was drawn to a marine-store shop in Queen-street, Seven Dials, kept by the prisoner Mancer—I went there with Ashman, the constable, and saw him find a brass cock of mine—M'Donald said, in the presence of Mancer, "That is the cock I sold him last night for 6d."—Mancer said, "I never saw him before in my life."

JAMES LEWIS ASHMAN (*police-constable F 19.*) I accompanied Mr. Pontifex and M'Donald to Mancer's house, and asked him if he had not bought some cocks of that boy—he said he had not, and he had no cocks in his house—I asked if he had any brass cocks—he said he had not—I searched his shop, and found one cock on a shelf in a corner of the shop, under some rags—M'Donald said, "That is the cock I sold him yesterday for 6d."

Cross-examined by Mr. CLARKSON. Q. Mancer is a married man, is he not? A. There is a woman who goes as his wife—I cannot say whether he is married—there is "Edward Mancer" over the door—he gave his name as Henry at the office.

MR. PONTIFEX re-examined. I know both these cocks by being our pattern—this one was not taken out of the place, and we had but two—they were made for a particular purpose, and never sold.

Cross-examined. Q. When did you last see that cock on your premises? A. I cannot say to a day or a week.

M'Donald's Defence. Master said, if I did not tell him he would give me in charge; I went round the shop, found the cock, and said, "Here it is, sir." He said, "Did not you take it?" I said, "No, I know nothing about it." He said, "Where is the shop you sold the cocks at?" I said, "I do not know;" he said, "Come along with me, and show me." He took me along the street, and said, "Is this it?" I said, "No." He went in and found it in the shop.

MR. PONTIFEX re-examined. I said I would give him into custody, but not "unless he told me"—his mother was there, and it was at her persuasion that he told—I said it would be better for him to tell me.

(Several witnesses deposed to Mancer's good character, and stated that his wife conducted the business.)

MCDONALD—GUILTY. *Recommended to mercy.*—Confined Six Months.

MANCER—NOT GUILTY.

1964. **MARIA DAVIS** was indicted for stealing, on the 21st of July, 1 watch, value 25s., the goods of Joseph Wareham; and **WILLIAM TAYLOR**, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

JOSEPH WAREHAM. My mother keeps a beer-shop in Baldwin's-gardens. On Tuesday evening, the 21st of July, the prisoners came there together—I afterwards missed my watch—I had left it on the seat of the water-closet—this is it—(*looking at it.*)

Davis. I went into the water-closet, and saw the watch; I took it, and gave it to this man; he went and pawned it over the water, and never told me what he got for it, nor gave me any money.

DANIEL ROSIER. I am in the service of Mr. Rosier, a pawnbroker, in Tooley-street. This watch was pawned by the prisoner Taylor.

Taylor. I own to pawning it; I did not know where it came from; it was given to me after I left the house.

MARY WAREHAM. I keep the beer-shop. The privy is close to the back of the house—Davis frequented the house—I know she went to the privy—nobody could go there without I open the door—I opened the door, and she went there, and about ten minutes after my son missed his watch—he had been there just before her—I could not let her through at first, because he was there—I think she is a bone-picker.

JOHN FINK (*police-constable G 47.*) I apprehended Davis on the 22nd—on seeing Wareham she said, "Oh, Mr. Wareham, I know what you are come for, I am sorry I did it"—Taylor was in custody in the City at the time.

DAVIS—GUILTY.* Aged 34.—Confined Six Months.

TAYLOR—GUILTY. Aged 38.—Confined Twelve Months.

NEW COURT.—*Wednesday, August 19th, 1840.*

Fifth Jury, before Mr. Common Sergeant.

1965. **JAMES SELWOOD** was indicted for stealing, on the 28th of May, 134 yards of woollen cloth, value 80l.; 150 yards of kerseymere, value 37l.; and 18 yards of valentia, value 4l. 10s.: also, on the 17th of January, 181 yards of woollen cloth, value 108l.; and 190 yards of kerseymere, value 47l.; and 2 yards of valentia, value 10s.; the goods of Thomas Tarsey and another, his masters; to which he pleaded

GUILTY. Aged 28.—Transported for Seven Years.

1966. **ELIZABETH COUSINS** was indicted for stealing, on the 16th of July, 2 spoons, value 1l. 10s., the goods of William Mather Nobbs, her master; to which she pleaded

GUILTY. Aged 37.—Confined Six Months.

1967. **JAMES PEAK**, the younger, was indicted for stealing, on the 9th of July, 3 sovereigns and 1 half-sovereign, the monies of James Peak, the elder; to which he pleaded

GUILTY. Aged 13.—Transported for Seven Years—Isle of Wight.

1968. HENRY NOON was indicted for embezzling 6s. 6d., the monies of his master, John Cook ; to which he pleaded

GUILTY. Aged 10.—Confined One Month.

1969. ROBERT WADE was indicted for stealing, on the 7th of May, 5 sovereigns, the monies of Lucy Black, his mistress ; to which he pleaded

GUILTY.* Aged 18.—Transported for Seven Years.

1970. ANN BURNS was indicted for stealing, on the 12th of July, 2 shirts, value 5s., the goods of Eliza Hopkins.

ELIZA HOPKINS. I keep a lodging-house in Field-lane. On the 12th of July, between eleven and twelve o'clock at night, the prisoner came there to go to bed—she brought a man with her, who, she said, was her husband—after some time, she wanted to go—I said she could go if she took her husband with her—she said, "Never mind"—she staid down stairs for some time, and then went up again—between seven and eight o'clock the next morning, I heard a noise, I got up, and missed two shirts from my shop—I went up stairs, and the prisoner was gone, and the man was left—he looked about, and missed his smock-frock—I found the prisoner at her lodging in Shire-lane—I have unfortunately been twice in Newgate—once I was in with my father, but I was acquitted.

Prisoner. She lives with John Newton, who has not been long out of prison himself. *Witness.* That is all nonsense—this property is not mine, but a young man's, a bricklayer, who left them with me—I do not live with any one—I married Hopkins, who died in St. Giles's workhouse—my father died abroad—he was sent there—my mother is alive—I found these shirts wet, on the back of a chair in her room—I went first, and asked for them, and she denied them—I then took an officer, and she gave them up—they belong to George Rowe.

GEORGE WATKINS (*City police-constable, No. 325.*) I went to a brothel at No. 3, Shire-lane, and found the prisoner there—these two shirts were hanging in the room.

GUILTY. Aged 20.—Confined Three Months.

1971. WILLIAM SULLIVAN was indicted for stealing, on the 11th of July, 1 purse, value 1s. ; 7 sovereigns, 6 shillings, and 1 sixpence, the property of William Henry Desborough, from his person.

WILLIAM HENRY DESBOROUGH. I lodge at the Carlton-hotel in Regent-street. At a quarter before eleven o'clock, on the 11th of July, I was in Waterloo-place, I felt a jerk at my pocket, I looked round, and saw the prisoner with my purse in his hand—I seized him, and he threw it about six yards on the pavement—I have never seen it since—I am certain it was mine—it contained about seven sovereigns and some silver.

Cross-examined by MR. BALLANTINE. Q. Was your purse a blue one ? A. Yes—it was picked up by a taller boy, who made off with it.

THOMAS MORPHETT. I was in Waterloo-place—I saw the prisoner at the prosecutor's pocket, and saw the purse in his hand—I saw him throw it away on the pavement—an elder boy took it up, and ran off with it.

GUILTY. Aged 18.—Confined Three Months.

1972. WILLIAM BURK was indicted for stealing, on the 21st of July, 1 box, value 2s. 6d. ; 1 shilling, and 1 penny, the property of John Knill.

GEORGE BUCKLAND. I live with Mr. Abel, on Fish-street-hill. This box is the property of Mr. John Knill, who is now on the continent—he left it with Mr. Abel—I put it in the counting-house window on the 21st of July, and about two minutes afterwards I saw the prisoner at the counting-house door—he went out, and ran off—I received information, and, after a long run, I overtook him in Thames-street—I brought him back, and gave him to a policeman—the box was found on a chair, close to the counting-house door—it was not opened—I do not know what it contains.

Cross-examined by MR. PAYNE. Q. How do you know that it belongs to Mr. Knill? A. Mr. John Knill left it there on the Saturday before—it is a charity-box—he has brought it there several times before, and left it with Mr. Abel—he is a relative of my master.

COURT. Q. Had any body else been in the counting-house? A. Not a soul.

JOHN BOARDMAN. I went to Mr. Abel's—I saw the prisoner in the counting-house, and I saw the box in the chair, which caused my suspicion—I gave the witness information, and he ran after the prisoner—I remained in the office.

Cross-examined. Q. How long were you in the counting-house before you spoke to the witness? A. I should think not two seconds—the inspector opened the box, and it has got 1s. 1d. in it.

NOT GUILTY.

1973. JOHN HORTON and JOHN SMITH were indicted for stealing, on the 2nd of August, 1 purse, value 1d.; 1 half-crown, 8 shillings, 2 sixpences, 2 groats, and 2 halfpence, the property of Thomas Young, from his person.

THOMAS YOUNG. I left the Princess Victoria public-house about three o'clock, on the 2nd of August—I then had the money stated, in a purse—I laid down against the long-field stile that leads to West Acton, and the prisoner Horton came and laid by my side—I had never seen him before—Smith was over in the field, on the other side the stile—I fell asleep for about an hour—when I awoke my purse and money was all gone except 1d.—a policeman was sent for, and the prisoners were searched, and the money found on them—the purse was not found.

CHARLES HARMAN. I was going along, and saw Young asleep—I saw Horton with his two fingers in Young's right-hand pocket, and Smith was over the stile in the long field—he might be fifteen or sixteen yards off—I went across the road, and sat under the shade of a tree—Horton looked at me three times, to see whether I was gone—I then got up and travelled on, to see for a policeman—I did not see one, and sat down again—I then saw Horton go over into the field—he was there but a short time—he then came back, and was very active about the prosecutor—he beckoned to Smith, but he did not come to him—Smith appeared to be watching—Horton was foraging about the prosecutor for five or six minutes, and then he went over to Smith—I then met a man, and asked him to go with me and awake the prosecutor, and his pocket was turned out.

HENRY SMITH. I stopped the prisoners, and sent for a policeman.

JOHN NICHOLLS (*police-constable T 108.*) I searched the prisoners, and found two shillings, one sixpence, and one fourpenny piece on Horton; and on Smith, four shillings, one half-crown, three sixpences, and two halfpence—the whole I found on them was 10s. 11d., and the prosecutor lost 12s. 3d.—I could not find any purse.

Horton's Defence. We were coming down the road, and went into the public-house; the pot-boy came, and said it was time to go, and we went out,—the prosecutor came out, and three other young men—they laid down, and we went on a mile and a half; he ran after us, and said we were the men that robbed him.

THOMAS YOUNG. The prisoners were in the public-house, but they were on the other side of the room.

Smith's Defence. When we got to the stile, this man took to the right and we took the left; the prosecutor then came, and said we had robbed him.

HORTON—GUILTY.* Aged 25. } Confined One Year.
SMITH—GUILTY.* Aged 20. }

1974. THOMAS BAKER was indicted for stealing, on the 21st of July, 1 handkerchief, value 1s. 6d., of a man unknown, from his person.

THOMAS GREENHAM (*City police-constable, No. 282.*) On the 21st of July, about ten o'clock in the evening, I was on Holborn-hill—I saw the prisoner, with two others, following a respectable-looking man—when they got to the corner of Hatton-garden, the prisoner rushed forward, lifted up the flap of the gentleman's coat, and took a handkerchief out of his pocket—I crossed the road, they saw me, and ran off—I caught the prisoner within a few yards, and in taking him to the station-house I found the handkerchief in his jacket-pocket, where I had seen him put it—the gentleman was then gone—I do not know his name, for when I seized the prisoner he threw himself on the ground—a great crowd came about, and I had enough to do to secure him.

GUILTY.* Aged 18.—Confined Six Months.

1975. WILLIAM WILSON was indicted for stealing, on the 1st of August, 2 pairs of boots, value 1l. 8s., the goods of Ralph Wilcoxson.

WILLIAM BARNES. I am shopman to Ralph Wilcoxson. On the 1st of August, about a quarter past eleven o'clock at night, I saw the prisoner come into the shop, behind two females—he stooped down, and took up two pairs of Wellington-boots—I passed between the females as quickly as I could, and pursued—he ran down Fish-street-hill, then turned back, and was taken—I saw him drop them.

ROBERT HUME LONGSDEN (*City police-constable, No. 27.*) I saw the prisoner in Fish-street, he dropped the boots, and I took him.

Prisoner's Defence. I did not take them, another person *chucked* them down, and I was taken.

GUILTY.* Aged 16.—Transported for Seven Years.

1976. JOHN WILLIAMS was indicted for stealing, on the 18th of July, 14lbs. weight of beef, value 7s., the goods of Edward Hill.

HENRY GARRETT. I am shopman to Mr. Edward Hill, a butcher in Marchmont-street. About eight or nine o'clock, on the 18th of July, I went to a neighbour's house, and heard something—I went back to my master's, and missed a piece of beef—I had not been away more than two minutes—I saw the prisoner and a young man running away—I pursued them into Russell-square—the young man had something in a bag, it was thrown over the enclosure—I pursued him, but he escaped—when I came back, I found this beef in the bag—the prisoner had been secured in

Russell-square by the policeman—I am sure he is one of those who had been running away with the beef.

CHARLES ORRIS. I live in Woburn-mews. I was going up Marchmont-street, and saw the prisoner come out of the shop with a piece of beef—there was a man outside with a bag, and they put the beef into it—I am sure the prisoner is the person.

Prisoner's Defence. I never took it, it was another boy. I was going along Russell-square, and the policeman laid hold of me.

GUILTY.* Aged 16.—Transported for Seven Years.—Convict Ship.

1977. GEORGE ROWE was indicted for stealing, on the 16th of July, 1 smock-frock, value 2s. 6d.; 1 handkerchief, value 1d.; and 1 kettle, value 1d.; the goods of Abraham Spring.

ABRAHAM SPRING. I was in High-street, Barnet, in the evening of the 16th of July, and the prisoner sent me to get a lodging at the public-house—he had at that time got my things—I went to the public-house for a lodging, and when I came out he was gone—I afterwards found him at another lodging—he had been working with me.

Prisoner. He told me to take care of his things, and I said I would put the smock-frock on, and I should not forget it—he asked me to lend him 1s. on them. *Witness.* I did not—you took them up, and I thought you would give them me again.

FREDERICK WALKER (*police-constable S 297.*) I found the prisoner at South Mimms, he had just taken lodgings for himself—he had got this smock-frock on his back—he said he would not give it up, and then the prosecutor gave him in charge.

Prisoner. He never asked me for the frock; I went for a lodging for me and the prosecutor; they had only half-a-bed; I said I would take that for myself.

NOT GUILTY.

1978. WILLIAM KILBY was indicted for stealing, on the 15th of July, 3½lbs. weight of beef, value 1s. 10d.; and ¾lb. weight of suet, value 4d.; the goods of Thomas Summerlin, his master.

MARY ANN ELIZABETH SUMMERLIN. I am the daughter of Thomas Summerlin, a butcher, who lives in Goodge-street; the prisoner was in his service. On the 15th of July, a piece of salt beef was missed—this is it—I was called from another shop to accompany the policeman to High-street, on suspicion of the prisoner stealing a piece of beef which had been found among his clothes—the prisoner said it was the first time, and he hoped we would look over it.

Cross-examined by Mr. JONES. Q. Was it not said that the beef was found in his bag? A. Yes, his bag was hid in the corn-bin in the kitchen—there is no lock on the bin—we all knew that the prisoner kept his clothes bag there—any one might go to the bin—I do not attend much to the business in that shop—the prisoner had been there rather more than twelve months.

THOMAS LANE (*police-constable E 52.*) I was sent for—Mrs. Summerlin gave the prisoner in charge—he said he would not deny it, and begged her pardon—he took the bag out of the corn-bin himself, and the beef was in it.

Cross-examined. Q. Was not the first thing that was said, that the beef had been found in his bag? A. She called the prisoner, and gave him in charge for stealing some beef—she used the word “stealing”—I will

swear she afterwards said some beef had been discovered in his bag—I then went down with the prisoner, and he took out the bag and found the beef in it—he said, “I won’t disown it”—I cannot say whether he said he would not disown that the beef was there—I cannot say whether he said that he did not intend to steal it, or words to that effect—I did not hear him say that he did not know how it came there—he said he hoped they would not prosecute him—Mrs. Summerlin expressed her reluctance to prosecute—she did so to me once—I did not tell her she must go on with the case, nor any thing of that sort—I asked her whether she thought it was proper for her to be robbed in that manner.

CAROLINE BLAKE. I saw the beef and the suet in the bag—I heard the prisoner say he hoped his mistress would look over it this time, as it was the first time, and he hoped she would consider his wife and family.

Cross-examined. Q. I suppose you recommended your mistress to do so? A. I did not—I said it was very wrong in him to do so—I did not say I thought she ought to prosecute—I have had no quarrel with the prisoner—he never charged me with stealing money out of the till—we had some words about a young man—I knew the prisoner is married, and I would have nothing to do with him—he wanted to be master of the kitchen—I never quarrelled with him about money—I have lost several pence off the kitchen dresser shelves.

(The prisoner received an excellent character.)

GUILTY. Aged 33.—*Recommended to mercy.*—Confined One Month.

1979. CHARLES KNIGHT was indicted for stealing, on the 5th of December, 94 quires of printed paper, value 4*l.* 14*s.*, the goods of William Airy Wright, his master.

MR. BALLANTINE conducted the Prosecution.

WILLIAM AIRY WRIGHT. I am a printer and publisher, and live in Fulwood Rents, Holborn. The prisoner was in my service, and had been for nearly six years—I printed a book for a gentleman about six years ago—I delivered him 1600 copies, and the rest remained in a cupboard in my warehouse, which the prisoner had access to—on the 8th of July my attention was called to some paper which I saw in Mr. Arnold’s shop—I made some inquiry—I then went to the cupboard where the copies had been kept, and a large quantity was missing—about eighteen reams are missing—it would cost me 25*l.* to replace it—I had never given any body authority to part with it—I sent for the prisoner, and asked if he had sold any waste-paper lately—he had sold waste-paper for me in order to clear the warehouse, but not paper of this description—when he has sold waste-paper he has accounted to me for it, but he did not account for this paper, nor for any part of it—he said he had not sold any for a year and a half—I asked where he had sold it—he said he had never sold any but to Mr. Arnold—I told him to recollect, and he said it must be more than six months—this is the paper—(looking at some)—it is the publication I have spoken of.

Cross-examined by MR. PHILLIPS. Q. What do you call this book? A. It is a treatise on astronomy—I never authorized him to sell any paper of this description, and of this size.

Q. Did you never know of his selling any of this “Universal Time-piece?” A. Yes, some of the cancelled sheets—the author of this work employed me to print it, and he was to pay me for the whole impression—I never authorized the prisoner to sell any of the impression, only the waste, that which was spoiled—I was paid by the author for the whole

impression—it was all charged for together—I do not consider this to be waste paper—he sold some that was badly printed, some that was cancelled—after the work was printed, the author made some alterations, and there were four pages cut out and some others put in—I did not pay the author for the waste which I sold—I will pay him if he requires it—the account is settled between us—I do not think any had been sold then—I have lost nothing by it at any rate—I expect to have more dealings with the author—there may be another edition—I ought to have 1400 copies of this work on my hands—I have been paid for them—I have not sold any of it.

Q. Did you not actually go to a tradesman's shop, and complain that they would not buy this very description of paper from this boy? *A.* No, I did not.

MR. BALLANTINE. *Q.* You say some was cancelled? *A.* Yes—I do not generally give the author the copies which are erroneous—very likely all the waste paper I sold did not amount to 5s.—when the books were bound up these leaves were cut out, and became waste, and they were got rid of—that is the course of trade—I am holding the 1400 copies for the author—I am answerable to him for them.

MARY BURDGE. I am the wife of Henry Burdge, of No. 258, High Holborn, he keeps a ham and beef shop. I know the prisoner—six or seven months ago he came to our shop and brought paper similar to this—I delivered it to the policeman—I cannot tell how much I bought, as we used a part of it—he came four or five times—I gave him 3d. a pound for it, except one quantity—he told me he came from his master's, in Fulwood's-rents—I gave up to the policeman 75lbs.—the prisoner once brought some paper in a barrow.

SAMUEL BREWER. I am shopman to Mr. Arnold, of No. 35, High Holborn, he keeps a ham and beef shop. About five or six months before the prisoner was given into custody, he brought 10lbs. weight of paper, which I gave him 2s. 6d. for, and after that he brought some more.

Cross-examined. *Q.* Did you know where he lived? *A.* Very well, indeed—Mr. Wright came to me, and asked why I did not purchase the paper he sent—I said Mr. Arnold did not allow me to purchase paper there, and told him to go to our other shop—he said it was only a small quantity, and he had sent it there—the first paper I bought was the size of this produced, cut up into quarto—it had not a soil of dirt on it, and did not appear to be cancelled.

COURT. *Q.* Was what you bought first waste paper? *A.* I should say it was like this, quite clean, and cut up in quarto.

JURY. *Q.* Was the paper that Mr. Wright complained of your not buying the same as this? *A.* Yes—the same paper was hanging in the shop for six months, and he has been in the shop since—he came the day before the prisoner was given into custody, and said, “How much have you got of this?”—I said, “A good deal”—he said, “Dear me, that is good paper, it belongs to Mr. Woodley”—I said “Take it,” and he took it.

JAMES BLOOM (police-constable E 98.) On the 9th of July the prisoner was given into my custody—he said that he and another boy, named Wright, had been sent by his master to sell the paper—I received this paper from Mr. Burdge and Mr. Arnold.

JOSEPH DAY WRIGHT. I am in the prosecutor's employ. I sold some

of the paper which was cancelled—this is not cancelled—I never sold any of this, nor ever went with the prisoner to sell any of this.

Cross-examined. Q. What do you call this kind of paper? A. It is not soiled—I have been sent to sell some of this work in quarto when cancelled—I got about 5s. for 20lbs. that my master sent me to sell—I have sold other works—we used to clear up the waste every quarter, and I used to sell it to the ham shops and whatever shops would purchase it.

MR. BALLANTINE. Q. Then you know cancelled paper? A. Yes—there was no probability of mistaking the paper in the cupboard for cancelled paper.

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Two Months.

1980. THOMAS TOWNSEND was indicted for stealing, on the 4th of August, 1lb. 1oz. weight of leather, value 3s. 6d., the goods of Thomas Pearce and another, his masters; and HENRY GARDNER, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.; to which Townsend pleaded

GUILTY.—*Recommended to mercy by the Prosecutor.*

Confined Nine Months.

MR. ADOLPHUS conducted the Prosecution.

JAMES PORTER (*police-sergeant E 1.*) In consequence of instructions, I watched near the prosecutor's premises, in Long-acre, on the 4th of August, about nine o'clock in the morning—I saw Townsend come out of the back premises—I was in Cross-lane, leading to Long-acre, in plain clothes—Townsend went down the street, and into Great Wild-street, Little Wild-street, and, at the corner of Duke-street, he put one of his feet into the John of Gaunt public-house—he looked round, then came out, and went on to Lincoln's Inn-fields, and stood against a lamp-post—I passed him, and put myself into a house, where I had permission to watch him through the window—he remained there about a quarter of an hour, anxiously looking for some person coming in the direction of Holborn—after that time I saw Gardener, walking in a great hurry towards Townsend, from the direction of Holborn—Townsend then left the lamp-post and met him—after walking a few yards towards where I was standing, I saw Townsend put his hand into his pocket, and take out one of these pieces of leather, and give it to Gardener, who put it into his pocket—Townsend then took out this other piece, and gave this to Gardener—I went out, and took them both—I said I was an officer, and should take them both to Mr. Pearce's—they refused to go, and Townsend said he was sent to Mr. Burrows, his master's solicitor—I said he must go back to Mr. Pearce's first—he then said he was in business for himself, and that this was his property—I said I should take them both back—Townsend then struck me three violent blows on my head, and knocked me down—I then lost my hold, but I jumped up, and took Gardener by the collar again—Townsend had run away, but I seized Gardener so suddenly that he could not get away—I took hold of the piece of leather which Gardener had in his hand, but he refused to let me have it—I took him to Mr. Pearce, and on our way he said I must be either mad or drunk, and he was doing it by way of trade—on our arrival at Mr. Pearce's, I took the leather from his hand, and put my hand in his pocket, and took out this other piece—he was then taken to Bow-street—I then went back to the prosecutor's, and took Townsend—Gar-

dener lives in Eagle-street, Red Lion-square—I went and searched his premises—I found thirteen duplicates and some handkerchiefs, but nothing that could be identified—it is a harness-maker's shop—I found some old harness there, and some new *cab* harness—I found, on Gardener's person, 40s. in silver.

Cross-examined by Mr. PHILLIPS. Q. Do not you know that Gardener works for the trade? A. Yes—while I was down I had no hold of Gardener—when I got up I took him—he had no chance to get away—I have never said that I did not lose my hold of him—the Magistrate let him go out on bail—Townsend said, in the presence of Gardener, that he was in business for himself, and this was his property.

THOMAS PEARCE. I have one partner—Townsend was in our employ—I employed the officer to watch him—I never empowered Townsend to sell leather in the street to any person—I went with the officer to Gardener's house—I found nothing of mine there—I believe this leather produced to be mine—it is similar to what we use, and cut to our pattern, and similar to what we lost—I have lost leather and other articles for some time—we employ from ninety to one hundred men.

ROBERT HEMAN. I am in the prosecutor's employ. I have examined this leather, and compared it with the piece it was cut from—it fits very nearly—it is such leather as I gave Townsend for cutting cruppers—this is not the sort of leather that any body would carry out in the street to sell—I have never seen such a thing.

Cross-examined. Q. Do not you know that it is common to give out these portions of leather to be made? A. Never, in our house.

(Gardener received a good character.)

GARDENER—GUILTY. Aged 28.—Confined Eighteen Months.

1981. GEORGE NUGENT was indicted for stealing, on the 8th of August, 2 sheets, value 5s.; 3 towels, value 1s.; and 1 counterpane, value 6s.; the goods of James Wisikin: also 2 cruets, value 10s. 6d., the goods of Edward Wilson; to which he pleaded

GUILTY. Aged 34.—Confined Three Months.

1982. THOMAS DAVIES was indicted for stealing, on the 10th of July, $\frac{1}{4}$ oz. weight of gold, value 1l. 14s., the goods of Charles Muston, his master; to which he pleaded

GUILTY. Aged 29.—*Recommended to mercy.*—Confined Six Months.

1983. JAMES WILLIAM FOUCH was indicted for embezzlement; to which he pleaded

GUILTY. Aged 33.—*Recommended to mercy.*—Confined Three Months.

Sixth Jury, before Mr. Sergeant Arabin.

1984. JOHN REARDON was indicted for stealing, on the 13th of June, 3 hearth-rugs, value 2l. 10s., the goods of William White and others, his masters.

JAMES CHIGNELL. I was in the employ of William White and others, carpet and rug manufacturers in Blackfriars-road—the prisoner was their porter. On the 13th of June I entered three hearth-rugs in the day-book, and delivered them to the packers to go to Farebrother, at Banbury.

NATHANIEL DOYLE. I packed the rugs, and sent them by the prisoner to the King's Arms, Holborn-bridge, directed to William Farebrother, Banbury.

ARTHUR JOHN NORTH. I am shopman to a pawnbroker. On the 13th of June the prisoner pawned these three hearth-rugs in the name of John Smith.

EDWARD CROFTS. I manufacture for the prosecutors. One of these rugs I sent to their house.

DANIEL FORRESTER. I am an officer. I was sent for on the 9th of July to investigate this case—I found on the prisoner the invoice of these things, and in his box I found the duplicate.

Cross-examined by Mr. PHILLIPS. Q. Did you find any other duplicate? A. Yes, a great many, which related to his own clothes, and some to rugs and carpets.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Six Months.

1985. JOHN PHILLIPS was indicted for stealing, on the 9th of July, 1 pair of trowsers, value 12s., the goods of John Barrett Lennard.

THOMAS FISHER. I am in the service of Mr. John Barrett Lennard, as butler—he lives at York-gate. On the 9th of July, about twelve o'clock in the day, I was in a closet, and saw the prisoner come down the area steps, enter the house, and bring out a pair of trowsers in his hand from the housekeeper's room—I overtook him in the area, and asked what he was going to do with them—he made no answer, but went back to the area door, and threw down the trowsers—I detained him till an officer came and took him—these are the trowsers—they are my master's—the prisoner had an apron on.

Prisoner. I had a message to take down there.

GUILTY. Aged 19.—Confined Six Months.

1986. JAMES GREECH was indicted for stealing, on the 1st of June, 2 shawls, value 1l. 5s.; 6 pairs of gloves, value 5s.; and 1 printed book, value 15s.; the goods of William Cook, his master.

ELIZABETH COOK. I am the wife of William Cook, a surgeon in Trinity-square, Tower-hill. The prisoner was in our service for about six months—he had left me about a month—I found this out by the duplicates being brought to me.

VAUGHAN POCOCK. I live with Mr. Hedges, a pawnbroker, in Drury-lane. I have two shawls and three pairs of gloves pawned by the prisoner on the 27th of July.

Cross-examined by Mr. PAYNE. Q. Had you ever seen him before? A. I had—I have a distinct recollection of his pledging these articles—he pledged them twice—a great many persons pledge things at our shop—perhaps 200 or 300 a day, but I am quite sure that he is the person.

CHARLES HENRY BAGNAL (*City police-constable, No. 31.*) I took the prisoner on another charge, and found the duplicates of this property.

Cross-examined. Q. Did you take any thing else from him? A. I have 2l. 5s. of his—I am not aware that it has any thing to do with this case.

(*Property produced and sworn to.*)

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Six Months.

1987. ROSETTA POTTER was indicted for stealing, on the 12th of July, 5 sovereigns, the monies of Joseph Norman her master.

JOSEPH NORMAN. I live in Wimpole-street, Cavendish-square, in the

parish of St. Marylebone. The prisoner lived in my service for five months—I am a coach-plater—I have a warehouse on the ground-floor of my premises, and have a till in my shop in the warehouse—on Sunday morning the 12th of July I counted the money in the till—I had fourteen sovereigns, two half-sovereigns, and a bag of silver—I locked the till, leaving the money in it, and went out between eight and nine o'clock in the morning—my wife was ill in bed—I had one other servant there, who had come into the house the night before—I was absent about three-quarters of an hour—when I came back I found the till locked as I had left it—I opened it, and missed five sovereigns—I cannot say how it had been opened—I called the prisoner, and accused her of taking the money—she denied it, and said she would go up stairs to her mistress—we went up to her mistress in bed, and I said, “She has taken five sovereigns out of the till in the little time that I have been out”—the prisoner said she had not—her mistress asked her if she had got any money—she said she had, but it was her own—that she had had money given her while she had been in my service, and I had paid her 2*l.* 10*s.*—she went to the bedroom in which she slept, and took five sovereigns wrapped in a bit of silver paper, out of her drawer—I took it out of her hand, and said, “These are the five sovereigns you took from me”—she said, “No, it is my own money”—I fetched a policeman, and when I came back I went up stairs, and met the prisoner—she said, “I am very sorry, I hope you will forgive me, I have taken four sovereigns”—I said, “You have taken five”—she said, “What I have taken is wrapped up in the bit of paper”—the paper had five sovereigns in it.

Cross-examined by Mr. ROE. Q. What sort of a lock is there to your till? *A.* A common lock—I do not know how I came to go to my till the second time, but my keys were lying in my parlour, and I thought I would go and look if my money was safe—I went the first time to get some money, and I then counted my money—when I missed the money Mrs. Sanders was called in—we were all in the bed-room, and then my wife said if the prisoner would confess she took the money, she would forgive her, but I did not say the same because she denied it—she did not confess till after I got the policeman, and then she said, “I wish to speak to you, I am sorry to say I took four sovereigns”—she was very much agitated—she wrung her hands, and asked me to forgive her—if she had given up the money I should not have fetched the officer.

WILLIAM TOOLE (*police-sergeant D 5.*) I was fetched and took the prisoner—she asked forgiveness, and said she was sorry for what she had done.

(The prisoner received a good character.)

GUILTY. Aged 21.—Confined Ten Days.

1988. MARY ANN CRAMPTON was indicted for stealing, on the 23rd of June, 1 box, value 1*s.*; 1 miniature, value 2*l.*; and 1 handkerchief, value 1*s.*; the goods of Esther Spice.

(The prosecutrix did not appear.)

NOT GUILTY.

1989. PETER STURGEON and HENRY MALLARS were indicted for stealing, on the 7th of July, 1 handkerchief, value 1*s.*, the goods of Thomas Gordon, from his person.

THOMAS GORDON. On the 7th of July, I was opposite Haggerston church—I had two handkerchiefs in my pocket, and I lost one of them—

I have not seen it since—I turned and saw a great boy running away with a handkerchief, which I think was mine—he was bigger than either of the prisoners.

JOHN PEARSON. I am a gardener, and live in Hackney-road. I saw Mallars and the big boy behind the prosecutor, and Sturgeon was before him—I saw the bigger boy lift up the prosecutor's pocket, and try to pick it—they followed him to Haggerston church, and there they did it—I saw the other boy's hand on the pocket—I cannot say that I saw the pocket picked—they were all three in company. NOT GUILTY.

1990. PETER STURGEON was again indicted for stealing, on the 9th of July, 1 ham, value 10s. 6d., the goods of Thomas Young.

HENRY WELCH YOUNG. I live with Thomas Young in Hackney-road—he is a cheesemonger. I saw the prisoner take this ham on the 9th of July—I followed him—he threw it down, and I took him.

ALFRED SIBTHORP. I saw the prisoner run away with this ham—he threw it down in the gutter.

Prisoner's Defence. I heard a cry of "Stop thief;" I ran across the road, and the officer took me; he took another boy first, and let him go.

GUILTY.* Aged 17.—Transported for Seven Years.

1991. JAMES DONNOHUGH was indicted for stealing, on the 14th of July, 1 handkerchief, value 3s., the goods of Thomas Tyrrell, from his person.

THOMAS TYRRELL. I am a licensed victualler. I was at the end of Holborn, close to Field-lane, on the 14th of July, about eleven o'clock at night—I felt some one at my pocket—I turned round, and caught the prisoner with my handkerchief in his hand—I gave him in charge—this is my handkerchief—it had been in my coat pocket.

Cross-examined by Mr. PAYNE. Q. Had you used it before? A. Yes, a very short time—it was not dropped.

GUILTY.* Aged 17.—Transported for Ten Years.

1992. JAMES SMITH and JOSEPH PETERS were indicted for stealing, on the 20th of July, 3 pairs of shoes, value 2s. 3d.; and 3 pairs of boots, value 2s. 3d.; the goods of Richard Pinkney: and that Smith had been before convicted of felony.

RICHARD PINKNEY. I keep a shoe warehouse in Church-street, Bethnal-green. On the 20th of July I went out—I left my boots and shoes all safe at my door—I returned in two hours and a half, and missed three pairs of boots and three pairs of shoes.

SILAS FOORD. I am a shoemaker. Between three and four o'clock that day I saw the prisoner Smith cut the boots and shoes from the prosecutor's door—he gave them to Peters—I crossed, and took Smith into the shop, and Nicholls took Peters.

JOHN NICHOLLS. I am a labourer. I saw Smith cut the boots and shoes from the door, and give them to Peters, who put them under his jacket—Mrs. Wells ran and caught Peters—I went to her assistance, and this property fell from under his jacket.

RALPH HEATON. I am a policeman. I produce the certificate of Smith's former conviction, which I got at Mr. Clark's office—(read)—the prisoner is the person.

(Peters received a good character.)

SMITH—GUILTY. Aged 19.—Transported for Seven Years.

PETERS—GUILTY. Aged 21.—Confined Three Months.

1993. THOMAS SULLIVAN was indicted for stealing, on the 9th of July, 8 printed books, value 4s., the goods of Ann Mason; and FRANCIS MORRIS was indicted for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

SUSAN MASON. I am the daughter of Ann Mason, a bookseller, in Museum-street, Bloomsbury. On the 9th of July these books were outside our parlour window—I missed them between seven and eight o'clock in the evening—these books are my mother's—(*looking at them.*)

FRANCIS FAGAN. I am a policeman. I saw the two prisoners in Farley-street—Morris was running with these books—I asked him what they were—he said some books that Sullivan had given him—the prisoners were in company, but I did not see any of the property in the possession of Sullivan.

GEORGE PIPER. I am a policeman. I saw Sullivan running from the prosecutrix's house towards me with the books in his hand—he gave them to Morris.

Cross-examined by MR. PAYNE. Q. How far were they off when they were taken? A. About six houses—I first saw them about three houses off; Morris came to meet Sullivan—the books were covered with a handkerchief.

SULLIVAN—GUILTY. Aged 18.—Confined Three Months.

MORRIS—NOT GUILTY.

OLD COURT.—*Thursday, August 20th, 1840.*

Second Jury, before Mr. Sergeant Arabin.

1994. WILLIAM BROWN and WILLIAM NORRIS were indicted for stealing, on the 27th of June, 1 coat, value 30s.; and 3 gloves, value 1s. 6d.; the goods of James Dormer.

ANN DORMER. I am the wife of James Dormer, an undertaker, and live in Church-street, Bethnal-green. On the 27th of June I saw a boy about the size of Brown going out of the front shop, with a bundle in a blue handkerchief—I went out, and when I got to the corner of the next street he was in company with another boy in a fustian dress—the boys were about the prisoner's size—the other boy was without a jacket—I went into the house, and missed my husband's coat—I found it at the station-house about an hour and a half after, and the prisoners were there dressed as the boys were—this is the coat—(*looking at it.*)

Cross-examined by MR. PAYNE. How do you know it? A. By the appearance of it, and there are three gloves in the pocket which I know—I had seen the coat half an hour before.

JAMES DORMER. This is my coat.

DAVID EVANS. I am a policeman. On the 27th of June I heard of this, and went in plain clothes to Shackelwell-street—an officer called my attention to the two prisoners standing at the corner of Club-row—I saw Brown with a bundle in a handkerchief—he was watched into Phillips's house, which we had been watching—shortly after, Trew and I went to the

house, and asked Brown if a person named Smith lived there—he said, “No”—I asked where the bundle was which he had just brought in—he said he had brought no bundle in—I went, and found it in the corner—he said he did not bring it there—while we were there talking Norris came in—I asked what he wanted—he said he had come to get his boots mended—I asked what was in the bundle which Brown had brought in—he said he knew nothing about Brown, he had never seen him—I said I had seen them together in Church-street, which he denied—Norris had no jacket on.

Cross-examined. Q. What time did you see them together at the corner of Club-row? A. After three o'clock—I am quite certain it was the two prisoners.

GEORGE TREW. I am a policeman. On the 27th of July I saw the prisoners in company together, standing opposite the prosecutor's shop, in Church-street—they had no bundle then—shortly after I saw them go down into Shackelwell-street—Brown had a bundle under his arm, tied in a handkerchief—I afterwards saw Brown run into a house with the bundle—we went in, and Norris came in in a minute afterwards, in his shirt sleeves.

Cross-examined. Q. Who is Phillips? A. He was taken for receiving, and remanded for four weeks, and then discharged.

RICHARD MARSHALL. I let the officers come to my house to watch the prisoners—I saw Brown pass first, with the bundle tied in a blue handkerchief—shortly after I saw Norris go by, without a coat or jacket on.

BROWN*—GUILTY. Aged 16. } Transported for Seven Years.—
NORRIS*—GUILTY. Aged 13. } Convict Ship.

Before Mr. Baron Gurney.

1995. GEORGE KING was indicted for that he, being employed under the post-office, on the 4th of August, at St. Anne and Agnes, in London, feloniously did steal a certain post letter directed to “Messrs. Smith, Payne, and Smith, No. 1, Lombard-street, London,” containing 1 10*l.* promissory note, 1 5*l.* ditto; 3 sovereigns, and 1 shilling; the property of the Right Hon. Thomas William, Earl of Lichfield, her Majesty's Postmaster-General.—7 other Counts, varying the manner of laying the charge.

MESSRS. SHEPHERD and ADOLPHUS conducted the Prosecution.

FRANCIS NIFFIN. I am a tailor, and live at Market Bosworth, Leicestershire. On the 3rd of August I had occasion to remit some money to Messrs. Smith, Payne, and Smith, of London—I wrapped it up in a letter, which my son wrote—I put into the letter a 10*l.* and a 5*l.* country notes, three sovereigns, and a shilling, I sealed the letter, took it to the post-office myself, at Market Bosworth, and paid 4*d.* with it.

ELIZABETH MAIDES. I am the wife of the postmaster at Market Bosworth—I transact the business when he is out—we forward the London letters to Hinkley. This is the letter bill which went with the letters on the 3rd of August to Hinkley—the numbers of the letters are entered in the bill—I recollect Mr. Niffin posting a letter that day, and paying 4*d.* for it—I forwarded that letter with others to Hinkley.

ANN HOLIER. My father is the postmaster at Hinkley—I assist him in the business. The Market Bosworth mail comes to our house—on the 3rd of August it came all safe, tied up in its proper order—I opened the bag, took out the letters, and stamped them—they corresponded with the number in the bill—I remember one directed to Messrs. Smith, Payne, and Smith, which attracted my attention, because it was wrapped in the letter

bill itself, and had hard cash in it—it was put in the bag, and forwarded to London, by myself—I generally do it.

ALFRED ROOTS HUBBARD. I am a clerk in the General Post-office, London. On the morning of the 4th of August I remember the Hinkley mail arriving in town in the usual state—I opened the bag, I broke the seal, the letters corresponded with the bill which came in it.

Cross-examined by MR. CLARKSON. Q. What time did you open the bag? A. Soon after six o'clock, about six o'clock—I have a particular recollection of what passed that morning—I do not know the number of letters which were in the Hinkley bag—the number was not set down in the bill—the amount of the paid letters corresponded with the amount in the bill.

COURT. Q. Your attention was drawn to it by the prisoner being taken up? A. Yes.

UNIACK RONAYNE. I am a clerk in the Inland department, in the General Post-office, London; the prisoner was a clerk in the same office. On the morning of the 4th of August I and the prisoner were in the same office, separating the town and country and foreign letters, which had arrived that morning—about five minutes after six o'clock, I saw the prisoner take a small letter in his hand—I happened to look towards him, whether he saw me I cannot tell, but he threw it under the foreign box, which is raised about six inches above the table—there was only one row of letters before him then—one of the men then laid two more rows before him, and then he pushed those letters towards the foreign box, which concealed the small letter from my view—he threw a larger one over the small one—he pushed the three rows of letters towards the two letters I have mentioned, having put the large letter over the small one—there is five or six inches between the box and the surface of the table—about twenty minutes after seven o'clock I saw him put his hand under the foreign box, by the side of the three rows of letters, and after fumbling about, he withdrew his hand closed, and appeared to convey something into his pocket—he left the table directly, left that part of the office, and went into another part of his division—I then removed the three rows of letters which I have mentioned, and found the large letter, but the small letter was gone—I reported it to Mr. Holgate, the President of the Inland Office—this is the letter, to the best of my opinion—(*looking at it*)—I did not see the address, but it was a letter of this size.

Cross-examined. Q. How long have you been in the Post-office? A. Very nearly four years—the prisoner was next above me in the office—he was not placed over me, he was appointed before me—he had been in the office about a month longer than me—I do not know that it is the practice in the office to give rewards to persons who make discoveries of letters; but there is an order in the inland books, saying that a gentleman in the Twopenny Post-office had discovered a person embezzling five letters, and he received a reward of 30*l.*—I am not aware of any rewards being paid—I think it was a letter-sorter who received that reward—I have met the prisoner's brother and father—I have heard that his father is an old officer in the army—he has lost a leg.

FRANCIS NIFFIN *re-examined.* This is the letter I enclosed the money in.

WILLIAM HOLGATE. I am one of the presidents of the Inland Post-office, London. I was on duty on the morning of the 4th of August—the prisoner was on duty—Mr. Ronayne made a communication to me that

morning, in consequence of which I looked for the prisoner—he was not in the office at that time—I went down stairs to the water-closet, and called him up to do his duty—he answered he would come up immediately—I returned into the office, and he followed in about two minutes, and Mr. Wynne, my colleague, to whom I had made a communication, took him into a private room, and had him examined.

COURT. Q. Did you observe whether there was any impediment in his speech, when he answered you, as if there was any thing in his mouth? **A.** No, I did not.

GEORGE HUXHAM WYNNE. I am vice-president in the Inland-office. On the 4th of August I received a communication from Mr. Holgate, and saw the prisoner, on his return from the water-closet, about three minutes after Mr. Holgate had spoken to me—I saw him coming from the water-closet—I asked him where he had been—he said, “To the water-closet”—I could tell by his speech that he had nothing in his mouth at that time—I then asked why he left his duty, and said, “Just come with me”—I took him into an inner private room, which I went to through the Inland-office, and across a passage about six feet long—the passage is darkish—when we got to the private room I beckoned to the officer (Tyrrell) to retire, but he did not observe me, and I went into the room—the prisoner followed me in—he had walked by my side in the passage—I then asked him under what pretence he had left his duty, and observing him chewing some paper in his mouth, I said, “What have you in your mouth? take it out”—he made no reply—Tyrrell came up—I told him to take it out of his mouth, which he did, and it was the letter, which has been produced, addressed to Smith, Payne, and Smith—it was in the state it is in now, the seal broken, and without any contents—here is the mark of teeth on it—I asked him how he came by it—he said he did not know—I asked him again, and said, “You know perfectly well you should not have had this letter”—he made no answer—the letter should have gone out for delivery about nine o'clock.

Cross-examined. Q. Do you know whether it is the practice for clerks to make use of the envelopes of letters which have been used at the office? **A.** No; they do not get into their hands—they are never scattered about, unless they are letters addressed to clerks—I have seen letters returned from the public offices for allowance, and the allowance having been made on them, the covers are thrown aside—the prisoner gave me no account of the letter at the time—he afterwards, in answer to a question from the officer, said it came to him with other letters as waste paper, and he took it down stairs.

ROBERT TYRRELL. I am a constable at the post-office. I was present when Mr. Wynne came in with the prisoner—I have heard his statement—it is correct—I searched the prisoner in the private room—I forced my finger into his mouth, and pulled out this letter doubled up in this form, wet and chewed—I asked where he got it from—he made no reply—I searched him, and found three sovereigns, one shilling, and one penny, all in his waistcoat-pocket—I searched the other waistcoat-pocket, and found a counterfeit sixpence and two halfpence—in a minute or two the prisoner said he had got the letter from other letters which were put before him, loose letters that came to him; and having occasion to go to the water-closet, he took this with him, and hearing a knock from the outside from Mr.

Holgate to attend, while on the seat, he read the address on the letter, and felt alarmed, and put it into his mouth.

Cross-examined. Q. Did not he tell you that the letter was open when he took it down? A. Oh, yes.

RICHARD CRADDOCK. I am a messenger and constable at the Post-office. I was present at the examination of the prisoner before the Magistrate at Bow-street—before the examination I assisted in searching him in the private room at the office, at Bow-street—when I had gone through the whole of the things he said, “Are you perfectly satisfied there is nothing now?”—I said, “Yes”—he said, “But I am d—d if you know whether I have got it now, but I wish to God I had”—I had told him I was ordered to search him, as they were not satisfied that he had not got the notes; and after I had finished searching his clothes he made that observation.

MARK BEACHAM PEACOCK. I am solicitor to the Post-office. Thomas William Earl of Lichfield is the Postmaster-General.

Cross-examined. Q. Has the amount contained in the letter been paid to Niffin by Lord Lichfield? A. Certainly not—I cannot remember whether Lord Lichfield was in town on that very day or not—the letter would receive the inland stamp in the inland-office—the letter bears the Post-office stamp of the 3rd of August.

MR. NIFFIN *re-examined.* I did not take the number or date of the notes.

COURT to UNIACK RONAYNE. Q. Would the letters you were then sorting receive the stamp in that office before they went out? A. Yes, but after they left the table where we had been dividing them—this has not received that stamp—it should receive the inland paid-stamp at the next table.

ANN HOLLIER *re-examined.* This which is on it is the stamp of the office at Hinkley.

MR. CLARKSON *called*

EMMA KING. I am the prisoner's sister; I live with my parents, in Portland-place, New North-road, Islington; my father is a retired officer in the army, and has lost his right leg. I remember Monday night, the 3rd of August—my brother had been in difficulties about a debt which he had contracted with a tailor—he generally came home between nine and ten o'clock at night—he went out in the morning from a quarter to twenty minutes after five—on Monday evening, the 3rd, I went with my mother into my brother's bed-room to place three sovereigns on the mantel-piece for him—we placed them there—my brother slept at home that night—I always make my brother's bed—I made it on Tuesday morning—I was not up before he left in the morning, but I was the first who went into his room—the sovereigns were gone then.

(Nicholas Bird, a retired major in the army; John Bell Connolly, retired captain in the army; and John Galibrain, Esq., M.D., Bayswater; gave the prisoner a good character.)

GUILTY. Aged 18.—Transported for Life.

1996. JOHN THOMAS HOGG, JUN. was indicted for that he being employed in the Post-office, did on the 18th of May, at the parish of St. Anne and Agnes in London, steal a certain post letter directed to “— Andrews, Esq., Agricultural and General Life Assurance Company, 29, New

Bridge-street, Blackfriars, London," containing 7 10*l.* Bank notes, the property of the Right Honourable Thomas William Earl of Lichfield, her Majesty's Post-master General; and RICHARD HOGG, *alias Cooper*, for feloniously receiving the said notes, knowing them to be stolen; and that he had been before convicted of felony. Other COUNTS varying the manner of laying the charge; to which

J. T. HOGG pleaded GUILTY. Aged 28.—Transported for Ten Years.

R. HOGG pleaded GUILTY. Aged 54.—Transported for Life.

(There was another indictment against the prisoners.)

1997. HENRY WOMBILL was indicted for killing and slaying Esther Hoe, the younger.

WILLIAM HOE. I live in Pelham-street, Brick-lane. On the 6th of July, I was at Highbury with my wife and two children—my daughter Esther was one of them—she would have been six years old next November—we were returning home from the Woodbine Cottage, about half-past eight o'clock—it was light—my wife had Esther in her hand, and I had another child behind her—I heard a *cab* coming along on this side of Highbury Barn Tavern—the road there is wide enough for two carriages—my wife and child were walking in the pathway, at the edge—the *cab* came close by the side of me as I was walking on the footpath—it was driving very fast indeed—the wheel caught the child's clothes and threw her down, and I saw both wheels pass over her—there was no other carriage in the way at the time—there was plenty of room for him to have gone without coming near the child—on the child being run over, I looked at it and said, "The child is dead"—I did not try to stop the *cab*—I called to it, but the driver drove on—I cannot tell whether he heard me—I called loud—he did not look back—I ran after him, and called out, "Stop, you have killed the child"—after calling repeatedly, "You have killed the child," he looked back—I was then running with my umbrella in my hand—he did not stop at all—he went out of my sight—I am not able to say the prisoner was the person—the child died in two or three minutes—the wheel went over the head as well as the body.

Cross-examined by MR. CLARKSON. Q. Did you observe whether the *cab* had any of the windows down? A. No—I should think the man was about a hundred yards from me when he turned round on my calling out—the footpath is about the height of the breadth of my hand from the road—my child was walking close to the edge of the footpath.

ESTHER HOE. I was walking with my husband and children—my little girl was on the path close to the edge—it is a widish path—I heard the *cab* come—I think the wheel caught her clothes—that threw her down, and the wheels passed over her—my husband pursued the *cab*—the child died directly afterwards—I saw the driver's face, and believe the prisoner is the man—I did not see him again till above a week afterwards—there was no other carriage in the way at all—he had the whole road to drive in—when I saw him at Hatton Garden I recognised him—the Coroner sat before he was apprehended.

WILLIAM RAPER. I am a *cab*-driver. On the evening of the 6th of July, I was at Highbury, and saw the prisoner coming down Highbury Grove, driving a four-wheel chariot, coming at about eight miles an hour—that is not quick for a *cab*, it was going at a sort of canter—I saw the hind

wheel just come off the child's head—there was room in the road for two carriages to pass—there was no other carriage near—I had passed with mine going to Highbury—I looked round on hearing the scream—there was nothing to prevent his going in any part of the road he pleased that I saw.

Cross-examined. Q. He was on his proper side of the road? A. Yes, I had passed him about fifty yards—I was going at a middling pace, not above six miles an hour—the path is not particularly wide there—it is not well marked out—it is nearly on a level with the road.

JOHN THOMAS. I was at Highbury that day, and heard the screams of the parents—I saw the cab—I was considerably before it—it had to come towards me—it was between me and Mr. Hoe at the time I heard the screams—I was about a hundred and fifty yards from the accident, and the cab was twenty or thirty yards nearer to me—I should think the driver must have heard the screams—I heard Hoe call to the driver—I should think the driver must have heard him—he did not stop, but drove on—I could not recognise the driver.

Cross-examined. Q. Did you observe whether the windows of the cab were down? A. I did not—I do not think the sound would be heard so well by a person inside, the rattling of the wheels would distract the sound—I think the driver could not help hearing him—it was running on gravel, and at the rate of eight or nine miles an hour.

WILLIAM BURROWS. I am a surgeon. The child was brought to my house—it was quite dead—the skull was fractured sufficiently to cause instant death.

ALEXANDER BUTTERS. I am a policeman. I apprehended the prisoner on Wednesday night, the 8th of July—I told him I apprehended him on suspicion of killing a child in Highbury-grove, on Monday night, the 6th of July—he admitted having been there, but said he was not aware of any accident occurring.

Cross-examined. Q. At that time had you got any evidence to identify him as the man who had been there? A. I had information that he was the man—Raper had stated before the Coroner that he was the man.

SAMUEL SCAREY. I was in the cab the prisoner was the driver—I came from Highbury College—I was not aware of any accident happening in the way—at the time I got out I did not know that any mischief had happened to any body—I had not heard any call to the driver to stop—the near side window was down—I drove home to Catherine-street, Strand; and, from the man having waited for me a long while at the College, and being steady, I gave him a pint of beer, and told him I would employ him again—he asked, when I got out, if that was my house, if I lived there—I said, "Yes"—he had driven me to Highbury.

Cross-examined. Q. Was he perfectly sober all the way? A. Yes, and drove in a steady and proper manner, as I thought—I did not see any thing to the contrary—I think if the horse had been galloping or cantering I must have observed it—there is a jerk when a horse canters or trots—I thought it went at one regular pace all the time—I did not perceive any thing to the contrary—I did not hear any one call to him—I think I must have heard it if they had—I started from home at a quarter after five o'clock—he took me to Highbury College—I left there about a quarter after eight o'clock—he had waited all that time for me—I do not think he

was driving at any thing like the pace of eight or nine miles an hour—it was a very indifferent horse indeed—I was not in the least conscious that we had passed over the body of a child—I said that I would employ him again, after I got home, in consequence of his civility and attention, and asked for his address.

(The prisoner received a good character.)

GUILTY.—*Strongly recommended to mercy.*

One Week Solitary Confinement.

1998. **ELIZABETH CLEVELAND** was indicted for unlawfully, maliciously, and feloniously assaulting George Day, on the 13th of July, and casting a large quantity, to wit, one half-ounce, of a certain corrosive fluid called sulphuric acid, in and upon his face, with intent to burn him, and whereby he was burned.—2nd **COUNT**, stating her intent to be to maim and disfigure him.—3rd **COUNT**, to do him some grievous bodily harm.

GEORGE DAY. I am a coach-master, and live in New-court, Holborn. On Monday, the 13th of July, I was in Lucas-place, St. Pancras, about two o'clock—as I passed a house, a woman, in the ground-floor room, beckoned me, and called me in—I went into the room to her, and, as soon as I got in, they demanded something to drink—I was there about five minutes—I refused to give her any thing, and wanted to come out of the house, but the door was closed—they would not let me come out of the room—there was another female in the room with her—they said I was not going out in that sort of manner, without I was going to *stand* something to drink, and told me to send for it there—the other girl said, “I will go and get half-a-pint, if you will send for it,” but I would not—I went to pull open the door, but it was closed—I cannot tell whether it was flour or lime that was first thrown at me—a woman who was in the room then threw something in my face—it was not that woman who invited me in, but an old woman—the other woman had not said any thing to her before that—I had said I would send for nothing, but if they would come up to the corner I would not mind paying for something, but she said, “Send for it here”—I was in the act of pulling the door open when something was thrown into my face—the prisoner was the woman who did it—it burnt my face all over, and I have lost the sight of my right eye, and the other is so affected I can scarcely see at a distance—it burnt my linen and clothes—I had nothing to do with the woman in the room—it blinded me directly.

Cross-examined by MR. CLARKSON. **Q.** What did you say you are?
A. A cab-master—I have got one cab—I have not followed that trade long—I was working for my father before that—he is a cow-keeper—I had no brother James—I had a cousin James—I have been married about four years—I have no children—I have not been in the habit of frequenting brothels, I swear that—I have never been a complainant at police-offices against prostitutes—I was insulted and had my pocket picked, but not at a brothel—it is a long time ago, it was by one man and one woman—the woman was apprehended, and I went to the Magistrate—I did not stay away and refuse to prosecute—we could not find the other party—I cannot say whether that woman was a street-walker—I was once tried here about some property which was found in a stable which I occupied in Judd-street, but I was honourably acquitted—my cousin, James Day, a cab-driver, was tried with me—he was transported—it was my father's cab, but my stable—we had three cabs—I had one, and he had two—that is between five and

six years ago—I did not go up stairs at this house—the prisoner was in the house when I went in—she did not come in from the outside with the bottle in her hand, she stepped back from the door—I cannot say whether she was burnt herself—I had enough to do to mind myself—she had nothing in her hand when she closed the door, but when I went to pull it open she stepped to a side cupboard, and got it, and threw it right in my face—I had not struck the woman at all—I said if the door was not opened I would open it with the poker—I never attempted to struggle with or strike her—I did not cry out, “My G—d, I have hit something that has blinded me”—I said, “My G—d, I am blinded”—I was sober—I had had two pints, or I might have had three pints of porter—I do not suppose that would make me drunk.

MARY ANN MURPHY. I live in Lucas-place, Coram-street—the prisoner lived on the left-hand side round the corner. Between two and three o'clock on this Monday I was going by the house, and heard a noise inside—I heard a little bit of a *bother*, but not much—I heard a girl ask the man for his money—I did not hear his answer—I heard her say, “Don't let him go, he wants to *bilk* her”—the street door was a little way open—I saw the prosecutor coming towards the door, and the prisoner got a handful of flour, and *hove* at him at first—she *hove* it behind him as he was coming out—he turned round to see what she was heaving at him, and then she *chucked* something right in his face—he hallooed out, “Oh murder, murder, I am blinded; they have been heaving lime in my face, I am blinded.”

Cross-examined. Q. What business do you follow? A. I am a servant out of place, and live with my mother and father—I have also worked at the fur business—I have been nothing else—I have always led a regular, proper life—I never lived at a brothel—I am going on for nineteen years of age—the last place I worked at was No. 33, Hunter-street—I lived at Mrs. Downes, in Bidborough-street, once—she is married, and had one lodger named Temple, and his wife—I lived there about three months—that is not twelve months ago—I left to come home and nurse my mother in her lying-in—my mother lives in Lucas-place—she does not take lodgers—it is a little house at 3s. a week—there are only two rooms in it—I was not tipsy on that day—the door of the room was open—it was going on about five minutes—the prisoner was inside round the corner by the window, not at the door—there is one upper room in the house—I did not see any one else there—I do not know Jane Phillips and Sarah Welch—the young woman stood by, and said, “You shan't go”—whether she had hold of the prosecutor I cannot tell—she was not between him and the door, she was close to the piano—he was struggling to get away—he got towards the door, opened it, and they *hove* the flour at him, and then *hove* the stuff in his face—I saw through the door—it was not wide open, but wide enough for the man to have come through—I never saw him before—I know a person named Gainsford—I did not see her—I have been twelve months out of place—I left to go to my mother, but since that I have been working at M'Cave's, the furrier—my father is a bricklayer, and my mother a furrier, the same as myself.

JOHN BOSPHER. I am a policeman. I was called in, and saw the prosecutor very much burnt from having something thrown over him like vitriol, his face, and eyes, and his clothes—I went into the prisoner's house, and found her there—I took her into custody, and told her the charge—she

said she was sorry the man was hurt, that it was vitriol she had thrown over him, and she had got it to clean brass candlesticks—she had not put any water with it, and it was strong vitriol—she said the prosecutor had struck her once, or she should not have thrown it at him, and when she threw it at him she did not think it would have gone in his eyes.

Cross-examined. Q. Have you got the handkerchief which you took off her neck? A. Yes—it is burnt—she did not say it was vitriol she had in her hand—she said it was vitriol she had thrown over him—she said it as I took her to the station-house, and repeated it at the station-house, and at the police-court—I did not know Day before.

WILLIAM DODD (*police-sergeant.*) I was at the station-house when the prisoner was brought in, about three o'clock that afternoon—the prosecutor stated the whole of the circumstances to me in her presence—she said, in answer to that, "I own I did it, I am sorry for it; it was vitriol; I had not put the water to it; it was strong vitriol; the girl told me not to let him out."

ALFRED BEAUMONT MADDOCKS. I am a surgeon. The prosecutor was brought to me that afternoon—his face and eyes were much injured by the application of a powerful acid—vitriol is of that description—I think there is very little chance of the sight of the eye ever being restored—it is possible, but not probable—his clothes and hat were very much burned.

GUILTY. Aged 53.—Transported for Fifteen Years.

1999. MARY M'CARTHY was indicted for unlawfully, maliciously, and feloniously assaulting James Murphy, on the 15th of July, and cutting and wounding him upon his forehead, with intent to maim and disable him :—2nd Count, stating her intent to be to do him some grievous bodily harm.

JAMES MURPHY. I am a coal-whipper, and live in New-court, St. George's-in-the-East. I have known the prisoner five months, while I have been living in the court—I never lived in the same house with her—she abused me once or twice, about six weeks before this happened, and she threatened me several times before that she would give me a mark—I had done nothing to offend her. On Wednesday evening, the 15th of July, I was in the court between seven and eight o'clock—I went into the house where I live, and was asked by my next door neighbour to go and have some beer—I went and saw the prisoner there—I came out of the house directly, and she followed me out—I had said nothing to her—when she came out she caught me by the jacket, and tore it, and said I should go in and have some beer with her—I told her I would have nothing to say to her, and to keep away from me, for she was no good—I got from her and went to my own place—she followed me into my place—I told her for God's sake to keep away, I wanted to have nothing to say to her—I was afterwards standing in the court, with my back against the wall, and my hands in my pocket—she came up, and had a row with another woman in the court, and then turned round and hit me on the forehead with a quart pot, which she had in her hand—it cut me, and bled all the way to the London Hospital, where I went to get it dressed—I was in the hospital twelve days altogether—I had come away a day or two and gone again—I had done nothing whatever to her.

ELEANOR HENDRICKSON. I was in the court, and saw Murphy standing at his own door—the prisoner came up to him—they had had a difference a

fortnight or three weeks before, and she came to him and begged him to make it up with her—he said she was a bad woman, he would have nothing to say to her, and for God's sake to let him alone—a quart pot was thrown out of the window at her, but by whom I do not know—she took it up and struck him on the forehead with it—it bled a great quantity—we were forced to take him to the doctor's—they could not dress it, and we took him to the hospital—he had done nothing to her to my knowledge, but I was not long in the court—I had but just come down stairs—I was looking out of the two-pair window at the time the accident happened, but came down after it was done.

JOHN WILLIAM SEA. I am house surgeon at the London Hospital. I saw the prosecutor that evening—he had an incised wound over the left eye, about an inch in length—a small artery was divided, and he bled profusely—it was about half an inch deep, and an inch long, or rather more—he would not remain in the hospital that night—he came next morning, and was very ill indeed—he was obliged to come into the hospital—he would have been in danger if he had continued out, but coming in averted the danger—if inflammation had followed it would have been very dangerous—he was twelve or thirteen days in the hospital.

JOHN BIVAND. I am a policeman. I apprehended the prisoner on Friday night, the 17th of July.

Prisoner's Defence, written. “About four weeks ago the prosecutor insulted me in a very indecent manner, and had done so three weeks before. I told him if he did it again I would mark him. He then kicked me in the back, threw water over me, and struck me, and I threw the pot at him. Had not the neighbours taken me into the house he would have killed me. I have suffered severely since from a cut in my head.”

GUILTY. Aged 38.—Of an Assault.—Confined Six Months.—One Week in each Month solitary.

2000. WILLIAM HILL FLETCHER was indicted for burglariously breaking and entering the dwelling-house of Joseph Kirby, about the hour of three in the night of the 11th of July, at St. John, at Hackney, with intent to steal, and stealing therein, 1 pair of sugar-tongs, value 5s.; 1 window-slide, value 6d.; 1 clock-key, value 6d.; 1 necklace, value 6d.; 1 whistle, value 1l.; 1 spoon, value 2s.; 1 snap, value 1s.; 1 knob, value 3d.; 1 drawer-handle, value 2d.; his property: and 1 handkerchief, value 4s., the goods of Charlotte Gifford.

ARABELLA KIRBY. I am the wife of Joseph Kirby, and live at Shackellwell, in the parish of St. John at Hackney. On Saturday night, the 11th of July, my sister fastened up the house—I held the light and saw her do it—I went to bed between twelve and one o'clock—I was disturbed by the policeman between two and three in the morning, who told us the back-door was open—I did not go down till about half-past six—I then went into the kitchen, but missed nothing till I went into the parlour—I there found a blue ribbon which I know was attached to some silver bells the night before—the bells were gone—I afterwards missed Mr. Kirby's silk handkerchief—there were three squares of glass broken in the cellar-window, and somebody had got in at one of the squares—they were large enough for a person to get in—no inner-doors had been opened—the back-door was unbolted, but it was shut—it had been bolted the night before—I missed

the other articles stated when they were shown to me by the policeman—a handkerchief belonging to Charlotte Gifford was taken—she had been visiting us—it was in my husband's hat over night—the prisoner's parents occupy a little house belonging to us, about one hundred yards off—the prisoner lived with his parents, but had left them two or three days before the robbery—our back-door opens into a garden, which has only a low wooden fence to it—a person could easily get over it—the cellar-window is in the front of the house.

JOSEPH KIRBY. I was disturbed by the policeman—after discovering the robbery I gave information to the police—the prisoner was taken on the 13th, I think, about three o'clock in the morning, in the cellar of my house—the policeman knocked at my door, and showed me a handkerchief in the prisoner's presence, which he had found in his cap—it was a handkerchief which I had lost on the night of the 11th.

GEORGE GRAINGER. I am a policeman. On Monday morning, the 13th of July, I was passing the prosecutor's house, and found his front gate open—I went down the area steps, and found the window open—I examined it, and found a cap and a handkerchief lying in it—I called my brother officer off the adjoining beat—we came to the window and called out several times, "Come out, for I know you are here"—presently the prisoner made his appearance—I asked if the handkerchief belonged to him—he said it did—I asked where he got it from—he said he had taken it from Mr. Kirby's the morning before.

GEORGE WILLIAMS (*police-constable N 44.*) The prisoner was brought to the station-house, on the 13th of July, between three and four o'clock—I did not know him before—I asked him what he had been doing the previous week, (knowing he had been away from his employ, and from his home,) he said during the day-time he was in Shadwell, and during the night-time he was concealed about the prosecutor's premises—I then asked him how he had contrived to live without means during that time—he said, "I did not want, for I lived on the money I took from Mr. Kirby's, which money I spent in victuals and drink"—I then asked what he had got about him; upon which he thrust his hand into his trowsers pocket and produced this brass slide of a window, part of a pair of silver sugar tongs, a brass knob, a brass drawer-handle, a small nut, and part of a gold snap.

(*Property produced and sworn to.*)

Prisoner's Defence. I went into an empty house, and found these things there.

GUILTY of Stealing only. Aged 15.

2001. WILLIAM HILL FLETCHER was *again* indicted for burglariously breaking and entering the dwelling-house of Joseph Kirby, about the hour of three in the night of the 7th of July, at St. John, at Hackney, with intent to steal, and stealing therein, 22 shillings, his monies.

JOSEPH KIRBY. On the night of the 7th of July my house was broken open—when I came down at six o'clock I found the door open—it had been fastened the night before—it must have been unfastened from the inside—he had come in through the kitchen window, by breaking one square of glass, and lifting up the window—the glass was whole the night before.

ARABELLA KIRBY. The glass in the kitchen window was whole the night before—it was broken in the morning—I missed 12s. out of a box on

the mantel-piece, and 10s. from the cupboard, all in shillings—the cupboard was not locked—I had put the money there about ten o'clock the night before—it was safe when I went to bed—no one slept in the house but my husband and myself.

GEORGE WILLIAMS. I am a policeman. The prisoner was brought into my custody on the morning of the 13th—I asked him what he had been doing for the last week—he said that during the day time he had been over in Shadwell, and during the night he had been concealed about the prosecutor's premises—I asked him how he had lived without means—his answer was, he did not want for means, for he had lived on the money he had taken from Mr. Kirby's, which he had spent in victuals and drink.

GUILTY. Aged 15.*—Transported for Fifteen Years.

(There was another indictment against the prisoner.)

First Jury, before Mr. Common Sergeant.

2002. GEORGE TARLING and WILLIAM BURNETT were indicted for stealing, on the 13th of July, 52 neats' feet, value 1l. 5s., the goods of John Rumsey, their master.

JOSEPH BRIGHT. I am foreman to Mr. John Rumsey, and live in High-street, Shadwell. The prisoners were in his employ—I gave information to the policeman on Sunday evening, having suspicion of the prisoners for a fortnight before, to stop the cart as it was going out—about half-past six o'clock on Monday morning, the 13th of July, they stopped the cart as it was leaving our yard, and I gave the prisoners into custody for stealing fifty-two neats' feet, which are bullocks' feet—on our road to the station-house Burnett said, "Master Tarling has brought me into a pretty mess, he has completely ruined me for life"—after my return from the station-house I searched the soaking tank where the feet were placed on the Saturday—I had seen them safe on Saturday afternoon, about four o'clock—neither of the prisoners had any business with them—I believe the feet which were produced by the policeman to be those I saw on Saturday, and I missed them from the tank, but there were a great many others in the tank—I am certain some portion was taken.

Cross-examined by MR. PHILLIPS. Q. Did you count all the feet in the tank? A. No—the tank was about three parts full of feet—I missed them by searching the tank—they were all on a level, about three parts full, but on returning I missed a great many, I could tell by the appearance of the tank—there are not an enormous quantity of these feet in Shadwell—one foot is very much like another—I cannot swear to them, but I believe them to be the property of my master.

Cross-examined by MR. PAYNE. Q. How long have you been in Mr. Rumsey's employ? A. Two years—Burnett has been there between four and five years—Mr. Rumsey is unable to attend—I am certain they had no authority to take the things out at that time in the morning—they were in the habit of going out with the cart at that time to collect tripes, but not to take goods.

JOHN NICHOLAS (*police-constable K 1.*) In consequence of information I watched, and saw Mr. Rumsey's cart, about half-past five o'clock on Monday, the 13th—Tarling came to the bottom of Gad's-hill, and looked up the street a few minutes—I then saw the prisoners both come out with the cart—I stopped it, and one jumped off one side, and the other on the other—Tarling said, "We had better turn the horse back and go back, it is

master's property, it is all right"—we took them to the station-house, and they were given into custody by Bright—Taplin got into the cart, and took out this bag, containing ox feet.

Cross-examined by Mr. PHILLIPS. Q. Did you ask any questions of Tarling? A. Yes—I asked what he had got there—he said, "It is all right, they are master's property"—I said nothing more—they did not attempt to run away.

WILLIAM TAPLIN. I am a police-sergeant. I examined the cart, and found the feet in it—the prisoners were driving it—Tarling said, "We had better go back, the property is master's, it is all right."

(Burnett received a good character.)

TARLING—GUILTY. Aged 47.—Confined Six Months.

BURNETT—GUILTY. Aged 23.—Recommended to mercy.

Confined Two Months.

2003. MARY LYONS was indicted for stealing, on the 18th of July, 1 frock, value 6s., the goods of Michael Gashon, from the person of Fanny Gashon.

MICHAEL GASHON. I live in Cow-cross. My daughter, Fanny Gashon, came home about seven o'clock on Saturday, the 18th of July, with her hands behind her, her pinafore on, and her frock gone—she is four years old.

GEORGE CHARLTON. I live in Cow Cross-street. I have known the prisoner about three months—I saw her on Saturday evening the 18th of July, at seven o'clock, or a little before—I saw Mr. Gashon's child—I saw the prisoner go and take the child's frock off, down Red Lion-alley—she took her into the privy, and shut the door—I peeped through a crack—they were there about ten minutes—they both came out together, and the child went home.

RICHARD SAVAGE. I am a policeman. I apprehended the prisoner at No. 2, New-court, Cloth-fair, about a quarter before eight o'clock in the evening—I told her the charge—she said she had not been out the whole day.

Cross-examined by Mr. PHILLIPS. Q. Did you search the place? A. I did not, I looked round it.

Mr. PHILLIPS called

ELLEN GANNON. My husband is a tailor. I know the prisoner—I live in the same house with her where she was apprehended—she lives with her father and mother—on the Saturday evening she was taken, I saw her in her room, quite naked, except an old flannel petticoat, and stays, and handkerchief—she was in the house from three o'clock to a quarter to eight.

NOT GUILTY.

2004. WILLIAM THOMAS was indicted for stealing, on the 13th of August, 1 coat, value 3s., the goods of George Gray; to which he pleaded GUILTY.* Aged 35.—Transported for Seven Years.

2005. RICHARD WILLIAMS was indicted for stealing, on the 18th of August, 1 coat, value 15s.; 1 pair of trowsers, value 10s.; 1 waistcoat value 2s.; 3 handkerchiefs, value 2s. 6d.; 2 pairs of stockings, value 1s.; 1 shirt, value 1s.; 1 shirt-front, value 1s.; and 1 brush, value 3d.; the goods of William Hurland: 2 brushes, value 6d., the goods of Patrick

Mallett : and 1 pair of shoes, value 5s., the goods of John Mallett ; to which he pleaded

GUILTY.—Confined Six Months.

2006. WILLIAM SMART was indicted for stealing, on the 27th of July, 1 watch, value 2*l.* 10s. ; and 1 watch-chain, value 2s. ; the goods of William Pitt, from his person ; to which he pleaded

GUILTY. Aged 26.—Transported for Ten Years.

2007. JAMES GILDING was indicted for stealing, on the 16th of July, 2 brass plates, value 20s., the goods of Joseph Walker, his master.

WILLIAM HERRING. I am in the service of Joseph Walker, of High Holborn—the prisoner was in his service. On the evening of the 16th of July I carried a board to the prisoner's lodging, and asked him what I was to do with it, as the brass was stripped off it—Mr. Walker had discharged him previous to that—he then said he had sold the brass, and if I would meet him next evening, he would get it me if he possibly could—I met him next evening—he said he could not get it—he said I should find the rest of the brass in the cellar—I went down into Mr. Walker's cellar directly I returned, and found some brass where he told me I should find it—it was the property of Mr. Walker.

JAMES DYER. I am a policeman. I received him into custody—I got this brass from Herring.

Prisoner's Defence. I know nothing at all about it—I said nothing of the kind to him—he came to my house at ten o'clock at night, gave me beer, and made me tipsy, and I do not know what I said ; it appears by what the witness said at the office, that the brass was put down stairs in the kitchen where I worked, but three or four servants had access to that place as well as myself—I took nothing—the brass I told the witness about was not the brass produced—part of my work was to carry coals up for the servant, and as I was *shoving* up some coals I saw this piece of brass among them, and when the witness asked me if I knew any thing of the brass, I said I had seen some pieces among the coals.

WILLIAM HERRING *re-examined*. I asked him what was to be done about it—he said, "Hush"—I said, "I must speak, tell me what you have done with them ; if you can't speak here, come over the way"—we went, and had a pint of beer—he appointed to meet me next evening with the brass he had sold—when he was in custody he said, "If it will satisfy the ends of justice, I will take you to where the brass is."

JAMES DYER *re-examined*. I heard him say that.

GUILTY. Aged 27.—Confined Six Months.

2008. MICHAEL LAMB, *alias Daly*, was indicted for stealing, on the 9th of June, 2 bags, value 3s. ; 1 sovereign, 1 half-sovereign, 3 half-crowns, 10 shillings, 5 sixpences, 60 pence, and 120 halfpence ; the property of John Greaves Stevens : and ROGER KELLY, for feloniously receiving the said goods, well knowing them to be stolen ; against the Statute, &c.

JOHN GREAVES STEVENS. I am a carman, and live in Margaret-place, Hackney-road. On the 9th of June I left my cart at a door in Buckeridge-street—there was a boy in the cart, and a carpet-bag containing one sovereign, one half-sovereign, three half-crowns, five sixpences, ten shillings, sixty pence, and 120 halfpence, in a box—I was in the house about five minutes delivering some goods, when I came back for my book, I

found the bag and money was gone out of the box with the book in it—I had seen Lamb and Conolly at the cart before I went into the house.

DANIEL HAYES. I sell water-cresses. On Tuesday evening, the 9th of July, I was against the public-house, and saw Stevens's cart—I saw his boy in the cart—I saw Lamb against the wheel, climb up, and take the money—one of the boys told Mr. Stevens's boy there was a fight up Bainbridge-street—Lamb gave it to Conolly, and they went up the street.

WILLIAM HALE. I live in Hart-street, Covent-garden. I remember on this afternoon seeing the two prisoners in company, and several more, in Carrier-street, leading out of Buckeridge-street—they were in company together, not doing any thing that I saw—I heard of the robbery a quarter of an hour after.

JURY. Q. Were either of the other boys about the size of Lamb? *A.* No, I do not think there was one so small—they were bigger boys—some were as big as Kelly.

JOHN GREAVES STEVENS, JUN. I live with my father. I was sitting in the cart, and saw a little boy get on the wheel, and there was a sham fight—I put one foot out of the cart, and was looking at the sham fight—I turned round to tell Lamb to go away, and saw them running up the street with another bigger boy, and the bag was gone—Kelly was down the middle of the street, and they all ran away together—it was Lamb got up to the cart—he was with Conolly—they met Kelly in the street, and all three ran away together.

GEORGE JOHN RESTIEAUX. I am a policeman. I apprehended the two prisoners—they denied the charge—Hayes stated more before the Magistrate than he has to-day.

DANIEL HAYES re-examined. I saw Lamb get up into the cart, and take the bag, and saw him give it to Conolly, and both ran away together—Kelly was reading a book, and he never knew any thing about it till they met him in the street—he went along with the other boys—Conolly had the bag second, and Kelly had it last—they went away together.

Cross-examined by Mr. PAYNE. Q. How close was Kelly to them, when it was taken? *A.* Pretty near half-way in the street—the cart was at O'Brien's at the bottom of Buckeridge-street, and Kelly was at the end—he was not in sight of the cart, nor near it at all—I live in Buckeridge-street—I said before the Magistrate that I saw Conolly give the bag to Kelly directly after Lamb had taken it—Restieaux said he would promise me a suit of clothes, and told me I was to have 3s. 6d. a day, if I came to give evidence.

COURT. Q. When did he tell you that? *A.* A good bit ago, before I came here—he did not tell me to say any thing that was not true—he told me to speak the truth, and nothing but the truth—I have not been talking to Mrs. Kelly—I believe I was told about the clothes after I had been before the Magistrate—I suppose Kelly could see the cart.

Q. Daly got up, took the bag, gave it to Conolly, and he directly gave it to Kelly? *A.* Yes.

Q. You said Kelly was a long way from the cart, and could not see? *A.* He was over right by Bank's public-house, which is a little way up.

GEORGE JOHN RESTIEAUX re-examined. Q. What is this story of the 3s. 6d. and the suit of clothes? *A.* Entirely false—he has never received

more than 18*d.* a day—he asked me if he should be paid for his loss o time coming here, and I said he would be paid 18*d.* a day.

LAMB—GUILTY.* Aged 12.—Transported for Seven Years.—
Convict Ship.

KELLY—NOT GUILTY.

2009. PATRICK BOURKE was indicted for stealing, on the 11th of August, 1 tent, value 15*s.*, the goods of Edmund Knyvett.

EDMUND KNYVETT. I am a teacher of music, and live at Old Abbey Cottage, Kilburn. I had a tent by my house—I saw it safe about half-past ten o'clock on the night of the 11th of August—the policeman called me up about two o'clock in the morning, and I missed it—this is it—(*looking at it*)—I have taken a great deal of pains to ascertain the prisoner's character, and find it has been irreproachable—it is my firm conviction that he did not take the tent off my place—it was blown down when I came home, and it might have got into the road.

JAMES WATT. I am a policeman. I met the prisoner with the tent on his back—I asked what he had got—he said it was his *toggery*—(meaning his clothes)—I said it was strange *toggery* for him to carry, and asked him to let me look—he threw it down, and said he did not know what it was—I said, "Where did you get it?"—he said, "I met it on the road"—I asked what road—he said he did not know—I asked which way he came—he said he did not know—he was the worse for liquor.

NOT GUILTY.

2010. FRANCIS MULLERY was indicted for stealing, on the 17th of August, 35 knife-blades, value 6*s.*, the goods of Joseph Dodsworth.

CHARLES DODSWORTH. I live with Joseph Dodsworth, a blade-maker, in Ray-street, Clerkenwell. The prisoner is a smith, and had been at our factory—I saw him there between the 11th and 17th August—I afterwards searched for him, found him at a public-house in Drury-lane, and gave him into custody in consequence of information which I had received from Grubb—these are the blades—(*looking at them*.)

GEORGE GRUBB. I live in Cow Cross-street. These knives were offered at my shop for sale by the prisoner on Monday evening last, between five and six o'clock—I asked him where he got them—he said he was sent by a young man—I knew they were Mr. Dodsworth's knives, because I am in the habit of buying blades of him—the prisoner went out, and spoke to a man who was standing about five doors off, and they walked away together to the corner of Peter-street—the other man then came back, and said, "Those blades are my property, give them up to me"—I did not see an officer, or I should have given him into custody.

Prisoner's Defence. I met a man who I had a slight acquaintance with, he gave me the things, and said he was going to sell them, and asked me to take them in which I did—the witness said, "Whose are they?" and I said, "The owner is coming in."

NOT GUILTY.

2011. MARTHA JONES was indicted for stealing, on the 27th of July, 1 shawl, value 9*s.* 6*d.*, the goods of George Albert Chapman.

EDWARD GRIFFITHS. I am shopman to George Albert Chapman, a linen-draper, in Great Russell-street. On the 27th of July, between six and seven o'clock, the prisoner came to our shop and inquired for some silk handkerchiefs which were in the window, wishing to purchase one—I showed her some—she selected one—she asked for several other articles,

which I showed her—she then inquired for some shawls—I showed her some, and while doing so I saw her take one from the counter, draw the back part of her dress to her side, and put it there—she then asked for a darker shawl—I continued to show her others—she purchased none—I sent for a policeman, and had him waiting outside—I made her bill out, gave her her change, and she left the shop—I followed her and gave her in charge—I saw her give up the shawl at the station-house—this is it—(*looking at it*)—it is my master's property.

HENRY LING. I am a policeman. I took the prisoner to the station-house, and saw the shawl taken from her pocket.

(The prisoner received an excellent character—the witnesses engaged to provide for her.)

GUILTY. Aged 21.—*Recommended to mercy.*—*Confined Five Days.*

2012. SUSAN RILEY was indicted for stealing, on the 30th of July, 4 pairs of boots, value 1*l.*; and 4 pairs of shoes, value 14*s.*; the goods of Solomon Hilbert, her master.

SOLOMON HILBERT. I live in Ebury-street, Pimlico; the prisoner was my servant. On the 30th of July, about a quarter after six o'clock, as I came down stairs, she met me, and asked if I knew whether the parlour-window was left open all night—I said it was not, for I shut it myself, and drew the curtains—she said it was open, and a step-ladder placed against it outside—I ran down and found my goods all in confusion, and several bundles tied up ready to be taken away—I missed about twenty pairs of boots and shoes, as I thought then, but I could not tell from the confusion—the police came and inspected the premises, and thought somebody had got in—I at last found I had lost four pairs of boots and four pairs of shoes—these are mine—(*looking at them*)—I found them at a greengrocer's in the neighbourhood.

Cross-examined by Mr. PAYNE. Q. What do you know them by? A. By the make of them—I can swear to them, they are my own manufacture—some of them have my mark on them—they had been taken from the parlour, where they were put, as the shop was being repaired.

JANE FULLER. I am servant to Mr. Baynes, a greengrocer, in Grosvenor-row. On the 30th of July, about half-past six o'clock in the morning, the prisoner came to me and asked if she might leave a parcel, which she did—this is it—it was afterwards opened by the officer in her presence, and contained these boots and shoes.

Cross-examined. Q. Did she bring it the day she was taken? A. Yes—she came for the parcel again that morning—I gave it to her, and she took it out—I had not looked at it myself—I afterwards saw it opened by Mr. Hilbert when she was in custody—I know the shawl it is in.

WILLIAM WILTSHIRE. I saw the prisoner coming out of Mr. Baynes's house—I secured her with the parcel directly opposite.

(The prisoner received a good character.)

GUILTY. Aged 34.—*Recommended to mercy.*—*Confined One Year.*

2013. HENRY GEORGE STONE was indicted for stealing, on the 29th of July, 4 planks of wood, value 1*l.* 8*s.*, the goods of Richard Turrell and another.

RICHARD TURRELL. I am in partnership with my son, in Long-acre; the prisoner was occasionally in our employ. I lost four deals on the 29th of July, which I had seen safe on the 28th—I have since seen them in the possession of the officer.

HANNAH SHELLY. I live within one door of the prosecutor's timber-yard. I was standing at my door on the 29th—I saw the prisoner take four deals from the yard, put them on a truck, and carry them off—it was about three o'clock in the day.

JOHN CRYSTALL. I keep a shop. On the 29th of July the prisoner came and asked if I would buy two deals—I said I would—four were afterwards brought—he called me out to look at them—I wanted to ascertain how he came by them—I did not pay him—Mr. Turrell has seen and claimed them.

(The prisoner received a good character.)

GUILTY. Aged 23.—Confined Six Months.

2014. JOHN WILLIAMS was indicted for stealing 1 handkerchief, value 5s., the goods of William Chapman, from his person; to which he pleaded

GUILTY.*—Transported for Ten Years.

NEW COURT.—*Thursday, August 20th, 1840.*

Sixth Jury, before Mr. Recorder.

2015. SARAH IRELAND was indicted for stealing, on the 25th of July, 4 yards of woollen cloth, value 16s.; 1 yard of jean, value 1s.; 3 yards of linen, value 4s.; 6 yards of holland, value 8s.; 10 yards of calico, value 6s.; $\frac{1}{2}$ yard of muslin, value 1s.; the goods of John Thomas Payne and another: also, on the 26th of July, 1 bottle, value 3d.; 1 quart of gin, value 2s.; and 7 cigars, value 1s.; the goods of John Thomas Payne, her master; to which she pleaded

GUILTY. Aged 18.—Confined Fourteen Days.

2016. MATTHEW BARNES and STEPHEN POLLARD were indicted for stealing, on the 15th of July, 4 bottles, value 1s.; and 4 quarts of wine, value 11s.; the goods of Edward Henderson, the master of Barnes: to which Barnes pleaded

GUILTY. Aged 28.—*Recommended to mercy.*—Confined Six Months.

MR. BODKIN conducted the Prosecution.

EDWARD HENDERSON. I am a wine-merchant, and live in Piccadilly; I have a cellar in Ormond-yard, about three minutes' walk from my place; Barnes was my cellar-man. In consequence of a written communication, I made application in July to the police—Pollard was not then known to me—Hardwick, a policeman, was stationed in Ormond-yard—he has since shown me 4 bottles of wine, which I believe to be my property, from its being the same sort as I had in my cellar—I saw a fifth bottle, but there was nothing to identify it.

THOMAS HARDWICK (*police-constable C 96.*) I was stationed in Ormond-yard on the 15th of July—I had before that been shown the prisoner Barnes, so that I knew him—I did not know Pollard—I found him to be a shoemaker, having a stall in Ormond-yard—about six or seven o'clock on the morning of 15th of July, I saw Barnes come into the yard—he went into the cellar—when I first entered the yard I saw Pollard at work in his stall—after Barnes had been in the cellar an hour, he came out and went to Pollard's stall-door, and was speaking to somebody inside—Barnes then went back to the cellar—after that I saw Pollard come out of the stall and go into the cellar—in three or four minutes I saw him come

out with a blue bag, which he was carrying with both hands—he went into his stall—I went up to him, put my hand on his shoulder, and said, “You are my prisoner; where is that blue bag?”—he reached it, and gave it into my hands—I said, “I suppose you know what it is about?”—he said, “What a rogue that man was to call me to give me this parcel to take to his wife, to get me into this *scrape*”—I took him, and found in the bag these four bottles of wine—I after that took Barnes.

Cross-examined by MR. PHILLIPS. Q. What hour of the day was this? A. I first went between six and seven o'clock—I took them a little after eight o'clock, in broad daylight—Pollard was holding the bag before him—Pollard's stall is in the direction of Barnes's house.

MR. BODKIN. Q. How many yards had he to carry it to his own stall? A. About ten.

CHARLES SMITH. I am fifteen years old, and am apprentice to Pollard. I and my master go every morning to his stall to work—I go first—I work during the day, and go home at night—I know Barnes—I have seen him at my master's stall, and I have known my master to go into the cellar—on the day the policeman was there my master went away from his stall about a quarter-past eight o'clock—he took the bag and a bottle of port wine in a Wellington boot—I know the bottle came from Mr. Henderson's cellar on the Thursday before—about three minutes after he was gone Barnes came over to the stall—he said to me, “Go see if you can see your master”—I said, “Yes”—he did not tell me to tell him any thing—I went, and told him Barnes wanted him—when I got back to the stall Barnes was waiting at the door, and he told me to tell my master to bring down the bag—Barnes went to the cellar—my master came in two minutes after—I told him, and he took the boot and bottle of wine out of the bag, and took the bag empty, and a pair of boots of Barnes's that he had been mending, down to the cellar—he was gone about five minutes—he brought something bulky in the bag, but I did not see it—the policeman came up and took him—the bottle of wine and the boot remained in the shop till the next morning—I live at my master's house—I have repeatedly seen wine there—I have never known him to buy any.

Cross-examined. Q. Have you had any quarrel with him? A. No, I have had a great many *blowings-up*—not for insulting his wife—he has not threatened to take me before a Magistrate—he said I did not work quick enough—I was not charged with taking more money than I ought.

(Pollard received a good character.)

POLLARD—GUILTY. Aged 48.—Confined Six Months.

2017. ALEXANDER PRICE was indicted for stealing, on the 24th of July, 2 shillings, 8 pence, and 6 halfpence, the monies of William Harrison, his master.

WILLIAM HARRISON. I live at the Royal William public-house, at Ball's Pond. The prisoner was my pot-boy three or four months—on the 23rd of July I marked some silver in my till—the prisoner was in the habit of coming behind the counter to clean it—after he had cleaned it, on the 23rd of July, I missed one marked shilling—on the 24th I marked some more shillings—there is a partition which separates the bar and the parlour—I looked through a hole in the partition, which I had made on the 24th, and saw the prisoner, when he was left alone, open the till, put his hand in

several times, and take something out—what I saw was coppers—he took out as many as he could lay hold of, and put them into his pocket—he then went again, took something out, and went to the window—he was taken, and one marked shilling was found on him.

Cross-examined by MR. PHILLIPS. Q. Had he been out for sugar the day before? A. Yes—I gave him a shilling, and he gave me a halfpenny—I am quite satisfied that that was not the marked money, because I had the whole of the marked money in my pocket the next day—he never had liberty to go to the till—he never served any body.

SAMUEL MANNERING (*police-constable N 168.*) I took the prisoner about eight o'clock in the morning, and found on him 18s. in silver, and 10d. in copper—one shilling is marked—this is it—he had it in his right-hand pocket, and 17s. in his other pocket, in this box.

WILLIAM HARRISON *re-examined.* This is one of the marked shillings—it was in there on the 24th—he had 5s. a week, and had been with me three or four months.

JURY. Q. Had you marked them differently on the two days? A. Yes, those I marked on the 24th were marked just under the neck—I marked them about six or seven o'clock—I had not sent him out with a shilling that morning—this one that was found had been marked on that morning, the 24th.

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Three Months.

2018. ESAU HAYWARD was indicted for stealing, on the 5th of June, 1 40l. Bank-note, the property of Michael Scales.

MICHAEL SCALES. The prisoner was in the service of my sons for about six or eight weeks—on the morning of the 25th of June I delivered two letters to the prisoner, between nine and ten o'clock, one to Smith and Payne, my bankers—I told him to take particular care of it, for it contained money—it contained a 40l. Bank-note, No^xXO, 3713, dated 7th of May, 1840—I wrote it down at the time—before I inclosed the note I took the number and date—from refreshing my memory from a document I made at the time, I have such a recollection as to be able to speak to the number and date—I was at my private house at Old Ford—the letter was to be taken to the post-office at Bow, and put in there, and another letter with it—I never could trace to whom the other letter was directed, but I believe it was to a gentleman at Manchester.

Cross-examined by MR. PHILLIPS. Q. The prisoner was not your servant? A. He was not, but my son's—I handed him the two letters, and told him that the one contained money, to put him on his guard—he usually came for a horse and cart—he did not come on the Saturday following—I inquired of one of my son's men why he did not, and found he had gone away on the Thursday—it excited my suspicion—the number of the note was XO—3713—I said, "Take care of it, for it contains money," both before and after I gave it him—there was no writing on the note when I put it up in the letter.

JOHN FREDERICK COWAN. I am cashier to the banking-house of Smith, Payne, and Co. There was some money paid in in June, on the prosecutor's account, but not the amount of 40l.

WILLIAM WATERS SCALES. I and my brother are carcase-butchers, at No. 44, Aldgate High-street; the prisoner was our servant. At five o'clock, on Thursday morning, the 25th of June, I sent the prisoner to

my father's, at Old Ford—he came back about eleven o'clock—shortly after his return, he said he had received a letter from his mother, stating that she was very ill, and wished to see him; would I allow him to go and see her—I said, “Yes, certainly,” he should go that instant, if he pleased—I paid him his wages to that day—I believe his mother lived in the country—I did not see him again before he was in custody—I have seen this note before, there is written on it, “Edward Baker, 9, Tooley-street”—I know the prisoner's handwriting—I believe the writing is his.

EDWARD BANGER SCALES. I am partner with my brother. I know the prisoner's writing—I have frequently seen him write—I believe the writing on this Bank-note, “Edward Baker, 9, Tooley-street,” to be his—I have no doubt of it. (*This note was No. XO, 3713, dated 7th May, 1840.*)

Cross-examined. Q. The prisoner had been in yours and your brother's service six weeks? A. Yes, full that time—he was a kind of under-man, employed sometimes as a drover, sometimes as a door-man—I have seen him write—it is customary to label the meat sent for sale—I have seen him write the labels repeatedly; not the price of the meat, but the names of the people who sent the meat to us—I have seen him write repeatedly.

CHARLES BRADLEY. I am a clerk in the Bank of England. I know this note—I do not know at present when it was paid in—we do not issue two notes of the same number and date, and amount—I am inspector of notes—this note was inspected by me, and marked with my initials, as being a genuine note—I marked it for the purpose of having change.

JOSEPH SAVAGE. I am a clerk in the Bank. I cashed this note on the 25th of June—I should say it was in the middle of the day—the precise hour I cannot speak to—we require the party producing a note to write his name on it—I should say this name was written at the time—I should not have cashed it without I had found the name and address on it, and in the ordinary course of business that would be written by the person presenting the note.

JURY to MICHAEL SCALES. Q. How long did you keep the letter after announcing to the prisoner there was money in it, and telling him to take care of it? A. I announced it to him an hour before—he went and did some work in my sons' field, and left his work suddenly, unfinished, and made haste to come and take the letter, which was already sealed up, and ready to go to the post—I asked if he was about to return—he said he had something to do in the field—he went, and in the mean time I wrote the second letter—when he returned, I gave him the one with the money by itself, and said, “Take care of this, there is money in it”—(*the witness's deposition being read, was as follows:*) “The prisoner has been in the service of my sons, No. 44, Aldgate, five or six weeks. On the 25th of June, about half-past nine o'clock in the morning, I gave the prisoner two letters, at my house at Old Ford, requesting him to put them into the post at Bow—one was directed to my banker's—it contained the 40*l.* note produced—the Bank-note had, at the time I enclosed it, no writing on the front—when I gave the prisoner the letter, I said, “Take care of that, Esau, for it has money in it.”

COURT. Q. Have you ever stated before now, that before the prisoner went to his work you had given him intimation of his having to take a letter? A. This is the first time—I supposed he was going to town, and that he would save my servant going—when he came I asked him,

and he then said he was not going home directly—I then wrote another letter—then I brought the two letters to him, and said, “Take care of this, it has money in it”—I was about to give it to him in the first instance—I had no idea of the second letter, when he said, “I am going to the field.”

Prisoner. I was within a few doors of my master's when I was taken into custody.

GUILTY. Aged 27.—Confined Six Months.

2019. GEORGE HALL and JOHN WHATLEY were indicted for stealing, on the 20th of July, 1 coat, value 4*l.*, the goods of John Singleton, Lord Lyndhurst: 1 coat, value 2*l.*, and 1 cape, value 15*s.*, the goods of Andrew Fountain: and 1 coat, value 12*s.*, the goods of Youngman Callaby; to which George Hall pleaded

GUILTY. Aged 30.—Confined Twelve Months.

GEORGE MULFORD. I drive a hackney *cab*, and live in Crown-street, Dean-street, Soho. On the morning of the 20th of July I was with my carriage on the stand, in the Hay-market—I saw the prisoner Hall get over Mr. Chaplin's gate, in Lemon-tree-yard—I saw Whatley there, who is the waterman on the stand—I saw Hall go and speak to him, and then Whatley went to a *cab*, five *cabs* behind me, and spoke to Buckoke, who was the driver—Buckoke then come to Chaplin's yard, and spoke to Hall, who said he should want a *cab* presently—I said to Whatley, “Is that a job from Mr. Chaplin's, as I am first *cab*, I want to have it?”—I then saw Buckoke go back to his *cab*, and Hall put a box coat under the gate, then a fustian coat, and then a cape—Whatley took them from under the gate from Hall, and put them into Buckoke's *cab*—I said, “Whatley, you said it was not a job, but I think it is a bad job for you; I shall stop the *cab*”—I told the officer—he went to the stand, and I saw Hall get over the gate, and get into the *cab*—I told the officer to go and stop the *cab*.

Cross-examined by MR. BODKIN. Q. What time was this? A. Between two and three o'clock in the morning—it was not quite dark—I drove a hackney coach before I drove a *cab*—I have been in the army—I have absented myself—I never was flogged in my life—I was in the 95th Rifle Brigade, and then in the Dragoons—I absented from the 95th—I was first *cab*-man on the rank, and ought to have had the job, if it had been a job, but he said, “It is not a job, but a friend going to the railway.”

WILLIAM METCALF (*police-constable C 133.*) Mulford told me something—I went to the *cab* on the stand—Hall was then inside with a dark livery coat on—I said, “Where are you going?”—he said, “To Covent-garden”—I said, “I have received information that you got over Mr. Chaplin's gate; *cab*-man drive me to the station-house”—he did so—as I was going by the side I saw Hall take off the coat and put it to the window—I went round—he opened the other door and ran out—I pursued and took him—I then found these coats in the *cab*—I took Whatley in his own bed at home—he had left his name and address.

JOHN BUCKOKE. I am the driver of a *cab*, and live in Britannia-street, Gray's Inn-road. I was on the stand in the Haymarket at an early hour, on the 20th of July—I saw Hall inside the yard, and he told me he should want a *cab*—in a short time after Whatley told me to pull the *cab* down, and before I could pull it down and get off the nose-bags Whatley brought the coats and put them into the *cab*—then Hall came and got into the

cab—he told me to drive him to Covent-garden—the policeman came and told me to drive to the station-house—on the way Hall attempted to get out at one side—the officer was going round, and then Hall got out of the near door, and went off down Eagle-court.

Cross-examined. Q. Did you hear Hall say he was going by the railroad? A. No—he told Whatley he wanted my *cab*.

JAMES HEAVER. I am coachman to John Singleton Lord Lyndhurst; who lives in George-street, Hanover-square. This coat is his lordship's—it was the one I wore—I had left it on the hammer-cloth of the carriage, in the coach-house, in Chaplin's yard—I saw the gates locked when I left at one o'clock that morning.

Cross-examined. Q. Were there many carriages there? A. Yes—it is a private yard—only the ostler and his wife sleep there.

ROBERT PALMER. I am coachman to Andrew Fountain; who lives in Albermarle-street. This drab coat is his—I had left it in his carriage, in Mr. Chaplin's yard.

WILLIAM JACKSON. I am groom to Mr. Fountain. This cape is his.

YOUNGMAN CALLABY. I am a helper to Mr. Fountain's coachman. this coat is mine—I had left it in Mr. Chaplin's yard.

WHATLEY—NOT GUILTY.

Fifth Jury, before Mr. Sergeant Arabin.

2020. FREDERICK GOSLING was indicted for stealing, on the 25th of July, 1 necklace, value 2s., the goods of Robert Austin, from the person of Charlotte Austin; to which he pleaded

GUILTY. Aged 17.—Confined Three Months.

2021. GEORGE WILSON was indicted for stealing, on the 8th of August, 1 watch, value 50s.; 1 seal, value 4s.; 1 watch-key, value 3s.; 1 watch-case, value 2s. 3d.; and 1 watch-chain, value 3s.; the goods of William Ebben.

WILLIAM EBSEN. I am a watchmaker, living in High-street, Islington. On the 8th of August, about half-past eight o'clock in the morning, I was outside my house, within ten yards of it, I saw the prisoner come out of my house—I suspected something—I went in and missed a watch and its appendages, which I had seen not two minutes before—I then followed, and saw him go near a butt belonging to a publican—I saw him put something on it—when he saw me he ran round the butt—I met him, caught hold of him, and said, "Where are they?"—he pointed to the butt—I took these articles off the butt, and took him back—these are the watch and case.

Cross-examined by Mr. PAYNE. Q. How far had you got before you saw that watch on the butt? A. Fifty yards—he begged to let him go, and said it was his first offence.

CORNELIUS SAVOY (*police-constable N 160.*) I took the prisoner—he said a tall gentleman in black told him to go in and take the watch, and he would give him some money.

GUILTY.* Aged 13.—Transported for Seven Years.—Convict Ship.

2022. SARAH LECOUNT was indicted for stealing, on the 1st of July, 1 shawl, value 2l. 12s., the goods of Charles Earith and another, her masters; and LUKE WOOTTON, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

ALFRED EARITH. I live with my father, Charles Earith—he has a partner—they are silk dyers and shawl cleaners, and live in Goswell-street. Lecount was employed by him for the last three years, as a shawl fringer—she did not live in the house—there was one shawl missed on the 1st of July, and suspicion was attached to her—the property was found at different pawnbrokers—I know nothing of Wootton.

CHARLES EARITH. I am one of the sons of Charles Earith. The female prisoner was there at work—I have never seen the male prisoner about the house—I have about the neighbourhood.

THOMAS DURRANT. I am a pawnbroker. I produce three shawls pawned by Lecount.

HENRY LEIBRECHT. I am a pawnbroker. I have two shawls pawned for 5s.—I was not the person who took them in.

JAMES CHURCHER. I am a pawnbroker. I have a shawl pawned by Wootton for 12s.

JOSEPH SHACKELL. I am a police-inspector. I apprehended Wootton on the 1st of July—I found on him a quart pot and a quantity of duplicates, which relate to the pledging of five shawls—he said they were his wife's shawls—I then gave directions to the sergeant to apprehend Lecount, with whom Wootton was living.

JAMES BRANNAN (*police-sergeant G 20.*) Wootton was brought to the station-house—I went to where he gave his address, at a cigar-shop, No. 31, Bloomsbury-street—in an hour I returned and found Lecount there—I asked if she was the wife of Wootton—she said, no, she was not married—I said he was taken for stealing a quart pot, and some duplicates of shawls were on him—Lecount said they were all her own.

MARIA ATKINS. The prisoners lodged at my house as man and wife.

Lecount's Defence. The officer never told me the young man was taken for a quart pot—I did not know what he was taken for.

LECOUNT—GUILTY. Aged 20.—Confined Ten Days.

WOOTTON—NOT GUILTY.

2023. LUKE WOOTTON was *again* indicted for stealing, on the 9th of July, 1 pewter pot, value 1s. 6d., the goods of James Hicks.

JOSEPH SHACKELL. I am a police-inspector. On the 9th of July, I was coming along Featherstone-street—I saw the prisoner a hundred yards before me, coming towards me—I saw he was carrying something under his coat—he saw I was looking at him, and he turned up James-street—I followed him in a walk—he saw me, and threw the pot away and ran—I called “Stop thief,” and he was stopped—he said he was told by a person to go and take the pot, that it was *planted* in a skittle ground.

Cross-examined by MR. CLARKSON. Q. What is the meaning of *planting*? A. Hidden, to be taken away.

JAMES HICKS. I am a publican in Bunhill-row. I have a skittle-ground—I never saw the prisoner to my knowledge—this pot is mine—I did not miss it.

Cross-examined. Q. Did they make you prosecute whether you would or no? A. I said I was very unwilling to come—the pot is not disfigured—I cannot tell when I saw it last.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy by the Prosecutor.*
Confined Two Years.

2024. JAMES WATTS was indicted for stealing, on the 10th of July, 5pairs of shoes, value 17s., the goods of John Goodwin.

MARY ANN GOODWIN. My husband, John Goodwin, is a shoemaker, in Dartmouth Cottages, Kentish Town. On the 10th of July, at half-past eleven o'clock in the morning, I was at home—I did not see any one come into the shop, nor go out—a young man came and told me I had been robbed—he went after the prisoner—I went after him and met him—he returned with the prisoner and the shoes, which are my husband's—they were hanging inside the shop.

GEORGE LAWSON. I was cleaning some windows, and saw the prisoner walk into the prosecutor's shop—he walked out and walked in again—he had an apron on, and put the shoes into it—there was a young man received them from the prisoner—I pursued them, and they threw them down—I took the prisoner—a boy picked up these shoes—the prisoner is the person that went into the shop.

GUILTY.* Aged 18.—Transported for Seven Years.

2025. ANN CHAPMAN was indicted for stealing, on the 21st of July, 18 yards of printed cotton, value 7s. 6d., the goods of Charles Carter.

HENRY BAPTISTE GLANVILLE. I am in the service of Charles Carter, a linen-draper, in Cross-street, Hoxton. About the 21st of July, I missed some cotton when the policeman came on the Friday following—I do not know when it was taken—it was taken from the door—the officer showed me a piece of printed cotton—(*produced*)—this is it—it is my master's.

JOHN ROADNIGHT. I am a policeman. The prisoner was given into my charge on the 21st of July, for stealing a shawl—she had a bundle, in which I found this print.

Prisoner's Defence. I was going to Petticoat-lane to purchase linen rags—I could not get any but a piece of print, fifteen yards, and gave 4d. a yard for it—I was returning home and met a young woman, who asked me to go with her to buy a bonnet for her little girl—we had something to drink—we went into the prosecutor's shop—she said the bonnet was too little—she went out and said, "Let us stand up for the rain"—while we were there the policeman came up—the young woman gave me the bundle and ran away.

GUILTY.* Aged 22.—Transported for Seven Years.
(There was another indictment against the prisoner.)

2026. THOMAS HOOPER was indicted for stealing, on the 22nd of July, 1 pewter pot, value 1s. 3d., the goods of Parkin Fothergill; 2 pewter pots, value 2s. 6d., the goods of Henry Elston; 1 pewter pot, value 1s. 3d., the goods of James Lawrence, and 1 pewter pot, value 1s. 3d., the goods of Mary Wicks; and that he had been before convicted of felony.

WILLIAM HORSFORD. I am constable of the Mendicity Society. On the 22nd of July I was on duty—I saw the prisoner cross Tottenham-court-road into Store-street—knowing him I followed him, with Daniels another officer, who stopped him, and took something from him, which was a pint pot—I then took a basket of pots from him, and said, "What are you going to do with these?"—he said, "I am a pewterer"—I said, "I know you are a pewter dealer"—I took him into a public-house, and found four pots in this basket.

HENRY ELSTON. I keep the Globe public-house, in South Moulton-street; two of these pint pots are mine.

JAMES LAWRENCE. I am a publican in Portman-place ; one of these pots is mine.

CHARLES ESELET. I live with Mary Wicks, in Weymouth-mews ; one of these is hers.

SAMUEL DANIELS. I took the prisoner.

Prisoner's Defence. I was in Store-street, looking for employ ; I met a person named Sheen with a basket ; he asked me to take it while he went to try to get a job.

WILLIAM RODGERS. I produce a certificate of the prisoner's former conviction, which I got from the clerk of the peace at Westminster—(read)—the prisoner is the person.

GUILTY. Aged 60.—Transported for Seven Years.

2027. JAMES KELLY was indicted for stealing, on the 18th of July, 4 printed books, value 5s. ; the goods of Frederick Burmester.

GODFREY LANGHELT. I am a broker. The prosecutor lives in Upper Wimpole-street—I went to his house to take some carpets to beat—I brought them back to his house—the prisoner and two others assisted me—he is a porter—he went up stairs to assist me in carrying them up to the top of the house—when he came out I saw some books in his waistcoat pocket—I told him to give them to me, for he had taken them from the house—he let me have them—these are the four—he had got about a quarter of a mile.

Cross-examined by MR. CLARKSON. Q. Did you not think there were more books than the four? A. Yes, I let him go at first, and then thinking there were more lost, had him taken again—he had no opportunity of parting with any—I found him honest before.

ANN BRIDGET. I am servant to Mr. Frederick Burmester. The prisoner was assisting in taking the carpets into the house—these books were in the back drawing-room, they are my master's, and there are two more missing, which we have not yet found.

GUILTY. Aged 25.—*Recommended to mercy.*—Confined Three Weeks.

2028. WILLIAM WELSH was indicted for stealing, on the 23rd of July, 2 half-crowns, the monies of Swithin Horne, his master.

THOMAS HALL. I am in the employ of Swithin Horne, a butcher. He has two shops, I superintend the one in Manchester-street, Regent's Park, the prisoner was my assistant—there are two tills, one in the shop, and one in the adjoining room—he had nothing to do with either of them in any way. On the 23rd of July I was out of the way for a short time—the till in the parlour contained 1*l.* in silver, two half-sovereigns, and one sovereign—I locked it, and put the key into the till in the shop, which was not locked—I put it under some papers—I returned in two minutes, and found the prisoner at the parlour till—I asked him what right he had there—he said, "To take the money out to put into the till in the shop, to give change"—I found two half-crowns on him—I told my master, and he was taken.

Cross-examined by MR. CLARKSON. Q. How old is he? A. About fifteen, I am nineteen—he was not left in the shop—he was outside, scouring a board—if any one came in for meat, they might have waited till I came in—he was not at liberty to serve—I cannot say whether he ever served—there was no way to get change, but to go to the till in the parlour—I did not put the key of the parlour-till into the till in the shop as a

trap—I do not know that he saw me do it—I found the two half-crowns in his hand.

(The prisoner received a good character ; and Mr. Mason, a publican, engaged to employ him.)

GUILTY. Aged 15.—*Recommended to mercy.*—Whipped.

2029. ANN ROSKRUGE was indicted for stealing, on the 23rd of January, 2 spoons, value 8s. ; 1 table-cloth, value 1s. ; 1 pillow-case, value 1s. ; and 1 towel, value 1s. ; the goods of Mary Moore.

MARY MOORE. I am a widow ; I live at Chelsea, and am a florist. The prisoner lodged in my house—in January last I missed some spoons—the servant went away, and the prisoner said the servant had taken them—I then missed a great many more things—the prisoner said she was a person of property—she was with me seven or eight months.

SARAH WATLING. The prisoner lodged in my house, in Hemming's-row, about five weeks—she gave me the duplicates which I gave to the officer.

JOHN BUCHANAN. I am shopman to a pawnbroker in Leicester-square. I produce two teaspoons, one pawned on the 11th of February, and one on the 23rd of July—I cannot say by whom.

CHARLES WINGFIELD. I received these duplicates from Mrs. Watling.

RICHARD BOWSER. I am a pawnbroker. I produce a shift, a table-cloth, a towel, and pillow-case, pawned by a woman in the name of Wilson—the duplicates given for them are those produced by the officer.

(Property produced and sworn to.)

Prisoner's Defence. I had spoons marked in the same way as the prosecutrix's, and I pledged them in mistake for my own ; I had left the duplicates as security with Mrs. Watling.

GUILTY. Aged 48.—Confined Six Months.

OLD COURT.—Friday, August 21st, 1840.

Third Jury, before Mr. Sergeant Arabin.

2030. ELIZABETH CLAYTON was indicted for stealing, on the 8th of July, at St. Pancras, 1 purse, value 1s. ; 1 canvass bag, value 1d. ; 36 sovereigns, 10 half-sovereigns, 6 half-crowns, 12 shillings, 10 sixpences, 6 groats, and 1 10l. Bank-note, the property of Joseph Salmon, her master, in his dwelling-house ; to which she pleaded

GUILTY. Aged 18.—Transported for Ten Years.

2031. EDWARD WALL was indicted for stealing a coat, value 10s., the goods of George Copeland, his master ; to which he pleaded

GUILTY. Aged 17.—Confined Three Months, and Whipped.

2032. JOHN CARROLL was indicted for stealing a coat, value 10s., the goods of William Morrison ; to which he pleaded

GUILTY. Aged 62.—Confined Three Months.

2033. THOMAS WILLIAM BUTLER was indicted for stealing 3 coats and 1 pair of boots, the goods of John Grigg, his master ; to which he pleaded

GUILTY. Aged 18.—Transported for Seven Years.

2034. THOMAS HITCHCOCK was indicted for stealing, on the 4th

of August, 1lb. weight of indigo, value 6s., the goods of St. Katherine's Dock Company.

MR. CLARKSON conducted the Prosecution.

HENRY POPE. I am gate-keeper at St. Katherine's Docks. On the afternoon of the 4th of August I was at the back of the warehouse letter F, and saw the prisoner coming towards his cart, which was waiting there—I noticed that he appeared rather bulky under his left arm, inside his jacket—I went and asked what he had got—he said he had got nothing—I searched him and found this pound of indigo there—it is a sample pound—I asked him where he got it—he said one of the labourers had given it to him on the staircase—I took him back to the warehouse to point out the man—he said he could not.

Cross-examined by MR. PHILLIPS. Q. Are you sure he said he had nothing? A. Positive—the faces of the labourers in the warehouse are quite blue from the indigo—he said the man would come for it.

MR. CLARKSON. Q. Did you know the prisoner before? A. Yes; he was in the habit of coming to the docks, and perfectly understood the regulations—he knew he must not take goods out without a printed order—he works for Mr. Basteed, a carter.

THOMAS TORRENCE. I am a labourer in the indigo department. On the 4th of August I drew a sample of indigo from the F warehouse—this bears the mark of the ship *Windsor*, which I put on it—I had put it on the sampler's table—a person in the warehouse could have got at the sampler's table—the prisoner had to pass by where it was.

Cross-examined. Q. Are you quite certain he was obliged to pass the spot where it was? A. He must pass by the part which keeps him from it—I am quite certain of that.

JOHN HOWARD. I am a sampler in the indigo department. I know this sample to have been brought to my table about eleven o'clock that day—I saw it there till about twelve o'clock, and did not miss it till I was sent for.

GUILTY. Aged 23.—*Recommended to mercy.*—Confined Six Months.

Before Mr. Baron Gurney.

2035. LOUIS JAMES GRANT was indicted for stealing, on the 6th of August, 2 half-crowns, 5 shillings, 1 sixpence, and 1 penny, the monies of William Lake.

WILLIAM LAKE. I have lately been admitted into the workhouse of St. Martin's-in-the-fields—I lost two half-crowns, five shillings, a sixpence, and a penny—I saw it last the night before, when I went to bed—I think it was last Friday week—when I went to bed I put it into my trowsers' pocket, in two pieces of paper, and hung my trowsers by my bed-side, so that the money could not fall out—when I got up in the morning the money was gone—the prisoner slept in the next bed to me.

Cross-examined by MR. PAYNE. Q. How long afterwards did you go before the Justice? A. I think it was a week afterwards—the prisoner was locked up in the workhouse that time—his father is a negro, and is also in the workhouse.

EDWARD SEAGRAVE. I am going on for eleven years old—I am in St. Martin's workhouse—I slept in the same room as Lake—not in the same bed as the prisoner—one night I saw him get out of bed, and take two papers, with money in them, out of Lake's breeches' pocket—it was in the

night—I did not see what was in the papers—I told him next morning what I had seen, and he said he would give me 6*d.* to say nothing about it—he offered it, but I refused to take it—I saw him with two half-crowns, five shillings, sixpence, and a penny—he was making a purse to put it into—I directly told my father and Lake.

Cross-examined. Q. Were you brought up in the workhouse? A. No—my brother slept with me—another boy slept down in the corner, in the next bed to the prisoner—the wardsman was sleeping in the room—I laid still when I saw this going on—the boy next to the prisoner was awake—he is not here—I am quite sure it was the prisoner—I told him, about half-past nine o'clock the next morning, what I had seen—it happened about half-past nine in the night—there was a light shining in the room—we go to bed at nine o'clock—the wardsman goes to bed soon after us—I saw the prisoner once in the cell where he was locked up—I did not see a strap on him.

JOHN HUGENS. I am in St. Martin's workhouse. I am the wardsman of the room; six persons slept in the room. On Saturday morning I heard of the loss of the money, and asked them all about it, the prisoner among others—he did not produce any money—they said they knew nothing about it—they were all in the room but Seagrave—when he came in I challenged him with it, and said, "We shall all be blamed for it"—he told his father and me that he saw the black boy get out of bed, and take the money out—I said to the prisoner, "You young thief, you have got the man's money;" and upon him was found two half-crowns, five shillings, sixpence, and a penny, in this bag—he then said, "I found it"—I took him to the master, and he told him the same.

Cross-examined. Q. We understand he was kept in confinement in the workhouse a whole week before he was taken before the Magistrate? A. Yes, but he was breaking the place all to pieces, and trying to break the windows—he was locked up the day after this took place, about two o'clock—the father did not apply to me to be allowed to go before the Magistrate with him—I did not see him there—I did not see any strap put on the prisoner.

MR. PAYNE called

JOHN CHARLES GRANT. I am the prisoner's father, and was in the workhouse with him. He was confined there a week or eight days before he was taken before a Magistrate—the last day he was taken down into the cell, and a strap put on him—I went, and saw it pressed so hard on him that I begged the master to release him, and it was taken off—he was put in another cell, underground—he was put there for the felony that was alleged—I applied to the master to be allowed to go before the Magistrate—he referred me to the solicitor for the parish, who refused—my son was once sent to the house at Norwood, and escaped from there through ill-usage.

GUILTY. Aged 10.—*Recommended to mercy.*—Transported for Seven Years—Convict Ship.

2036. THOMAS MILES and JOHN BENNETT were indicted for burglariously breaking and entering the dwelling-house of James Lane, about one o'clock in the night of the 11th of July, at St. James's, Westminster, with intent to steal, and stealing therein 7 rings, value 20*l.*; 2 neck-chains, value 20*l.*; 2 pairs of bracelets, value 10*l.*; 6 lockets, value 10*l.*; 2 seals, value 3*l.*; 1 watch-key, value 1*l.*; 1 brooch, value 2*l.*; 1 coat, value 3*l.*; 1 waistcoat, value 10*s.*; 16 pairs of stocking, value 3*l.*; 2 col-

lars, value 1*l.*; 2 sleeves, value 15*s.*; 7 pairs of boots, value 4*l.*; 1 pair of shoes, value 7*s.*; 6 printed books, value 1*l.*; 1 drawing, value 2*s.*; 12 tooth-brushes, value 6*s.*; 1 jacket, value 15*s.*; 2 bags, value 1*s.*; 3 half-sovereigns, and 6 5*l.* notes, the property of Henry Blisset, clerk.—2nd COUNT, stating it to be the dwelling-house of Henry Blisset, clerk.

MR. BODKIN conducted the Prosecution.

REV. HENRY BLISSET. I was staying in London in July last, and occupied as a sleeping-room the front parlour at Mr. Lane's, in St. Albans-place. On Saturday, the 11th of July, I had been to the Opera, and returned about twelve o'clock at night—I found my room in order, just as I had left it when I dressed to go to the Opera—I went to my club to get tea, leaving every thing safe—I did not lock the room-door—I shut it, and at the time I went out a Captain Cape came in, but the outer door was shut—I heard it shut to after me—I returned from my club about two o'clock, and found two policemen, the two porters of the house, the maid-servant, and Mr. Lane, in possession of the room, and property worth at least 150*l.* was gone—there were articles of apparel, Bank-notes, gold coin, half-sovereigns, gloves, boots, and other property—a reward of 30*l.* was offered—on the 24th of July I accompanied the officer, when Miles was apprehended, to the crossing of the street, near Leicester-square—a pair of straw-coloured kid gloves were taken from him at the station-house—they were exactly the description of gloves which I threw on the table when I left the room—I could not exactly swear to them—Miles was asked where he got them—he said he had them given to him—I was shown a pair of boots and shoes before that—I was present when Bennett was taken into custody—I saw a shirt, a hat, a pair of stockings, and a duplicate taken from him—Miles was taken before the Magistrate on Saturday morning, having been apprehended on Friday night—he was remanded till the next Saturday—Bennett was taken before the Magistrate on the Monday—Inspector Covington asked the Magistrate to remand him (having found property of mine on him) till the Saturday to which Miles had been remanded—I heard the Magistrate, after a statement Bennett made, say he would not take that down—he said he should keep that till he was brought up for another examination.

MR. FITZPATRICK. I am clerk to the Magistrate. The prisoner was charged on the oath of the inspector, on suspicion of being concerned with Miles in stealing a shirt and other articles, value 100*l.*, the property of the prosecutor—nothing more was taken down—he was remanded till the Saturday following.

Cross-examined by MR. PAYNE. Q. Is that all you heard? A. I heard Bennett make a statement, but the Magistrate said, "Don't take that down"—I do not know what it was.

REV. MR. BLISSET re-examined. The Magistrate asked him what he had to say to this—Bennett then said, "I confess I was in the robbery, I am guilty of the robbery, but I have been led into it by others, and it is my first offence."

Cross-examined. Q. Tell us the precise words? A. That is as near as I can recollect—I am certain he confessed he was in the robbery—I am certain that was the substance of it—this is not the first time I have stated it—I have mentioned it frequently in conversation—it is the first time I have stated it in public.

MR. BODKIN. Q. You were never examined in any public place, I

suppose? *A.* Except before the Magistrate—when they were brought up at the second examination it was not before the same Magistrate that heard that observation.

THOMAS VIVIAN (police-constable C 58.) About twenty minutes before two o'clock on Sunday morning, the 12th of July, I was on duty in St. Albans-place—I tried the door of No. 3, and found it give way in my hand—I went in, and alarmed the family—I found the room on the ground floor had been entered and robbed.

LOUISA TURNPENNY. I live at No. 3, St. Albans-place. I take care of it for Mr. Lane, who does not live in it himself, but lets it out—I sleep there—I remember Mr. Blissett going out, after returning from the Opera on Saturday—to the best of my knowledge all the gentlemen were in besides him—I went to bed after that—Mr. Blissett had a key to let himself in—I was soon after awoke by the police-constable knocking at the kitchen door—I went into the front parlour, and found somebody had robbed the room—I let a gentleman in after Mr. Blissett went out, and I shut the door after him—it was Mr. Mayo—I am certain the latch caught—I think I have seen Miles passing the house, but nothing more.

Cross-examined. Q. How long after Mr. Blissett went to the Carlton-club, did Mr. Mayo come in? *A.* He came in about a quarter to one o'clock.

Miles. Q. On what day did you see me pass the house? *A.* I cannot say—it was before the robbery—I cannot say how long before.

JOSEPH STREATHER. I am a shoemaker, and live in Broad-street, Bloomsbury—I know Miles. On Friday, the 17th of July, he came to my house about nine o'clock in the evening, and brought a pair of cloth boots, and a pair of high-lows, which I produce—he asked 8s. for them—I gave him 6s. 6d.—he said he had two pairs more, would I buy them—I said, "Let me see them"—on the following morning I was going to take some work home, and saw a bill describing the robbery—I returned home and found the name of Mason on the boots, and immediately made a communication to the police—when I came home I found the other two pairs had been brought—I gave the policeman a description of Miles, and gave him the boots.

WILLIAM LAKE. I am servant to Mr. Streather. On Saturday, the 18th of July, Miles came to my master's shop between eleven and twelve o'clock in the day—he brought a pair of boots, and a pair of shoes, which I produce—he wanted 10s. for them—I gave him 7s. 6d.—he said he could not take 7s. 6d., for them, they were not his own property, but belonged to a valet in place, and he was a valet out of place—I said if the valet did not approve of the sum, I would return the goods—he said the valet was in place, and could not come himself.

ANDREW VALLANCE. I am a police-sergeant. In consequence of a communication made to me by Mr. Streather, I searched for the prisoner Miles—he had described his person—I found him on the evening of the 24th, between twelve and one o'clock at night, in Leicester-square—he was in company with another man at the corner of Bear-street, before he passed me—(that man is called "*Flash Tom*, the groom")—Inspector Covington, who was with me, asked him if he knew of any boots being taken to Broad-street—he said, "No"—I told him afterwards that I wanted him for that robbery in St. Albans-place, and he must go with me—I took him to Broad-street, to Mr. Streather's—I knocked Mr. Streather

up—he saw Miles and immediately identified him—these boots and shoes were taken to the station-house—as Miles was going to the station-house I heard something drop—Mr. Lane was behind—I asked him to pick it up, and found it was this bag, containing ten skeleton-keys and one latch-key—I searched his person, and found this pair of gloves—I asked him where he got the boots and shoes—he said he was sent to sell them by another person—I asked him who it was—he said he did not know him—the Inspector asked him where he himself lived—he gave no address at all—I found out that he lived in James-street, Oxford-street—I went there, and saw his wife there—I had seen her with him, and knew her before—I there found three latch-keys, and a duplicate—while I was at the lodging, *Flash Tom* came in—I was not present before the Magistrate, when Bennett was brought there—in consequence of information I went to the lodging of a man, named Ashley, in Whitcomb-street, and found two ladies' sleeves there, and a quantity of small keys belonging to a dressing-case, which the prosecutor has identified—I also found part of a writing-case there—it is part of the brass catch, with a small piece of the leather, and a small bone box.

Miles. Q. Did I tell you, or not, that I was the party; or tell you who was the party? *A.* Yes, you told me the following morning.

MR. BODKIN. Q. What did Miles say to you next morning? *A.* He told me that Bennett and Ashley were the parties who committed the robbery, and they gave him the property to sell.

JAMES LANE. I am owner of this house, and several others, which I let out to gentlemen. On the 24th of July I was in conversation with Vallance when Miles was being taken to the Station-house in Leicester-square—in going to the station-house he dropped this bag—I took it up, and gave it to the officer—it contained the keys—I think I have seen Bennett—whether he has been with a gentleman at my house, I do not know, but I am certain I have seen him about my premises at some time.

Cross-examined. Q. You have seen a great many people at times? *A.* A great many—I should say that Ashley, who is not in custody, has been servant to a gentleman at my house.

JAMES COVINGTON. I am a police inspector. I took Bennett into custody on the 25th of July, about nine o'clock in the evening, at the Duke's Head public-house, Charlotte-street, Portland-place—*Flash Tom* the groom was in his company at the time—they were at supper—I took him to the station-house, searched him, and found on him this shirt, this hat, a pair of stockings, and a duplicate for a waistcoat.

Cross-examined. Q. How were they in company? *A.* Sitting by the side of him.

MR. BODKIN. Q. Were they sitting in company together? *A.* Yes, and the other followed down to the cell, and spoke to the prisoner as knowing him.

WILLIAM GORTON. I am a pawnbroker, and live in Gilbert-street, Grosvenor-square. I produce a waistcoat pawned at my shop on the 22nd of July, in the name of John Bennett, for 1s. 6d.—I do not know who by, but the duplicate produced is what I gave for it.

WILLIAM WOOLGAR. I am a bricklayer, and keep the house No. 52, Whitcomb-street—Ashley lived in the back garret—I remember the policemen coming to search—they searched the room Ashley had occupied—on Sunday morning, the 11th of July last, Ashley came home about two or three o'clock in the morning, and gave me a half-sovereign—I cannot

tell what he owed me, but I gave him 1s. out of it, as he said he wanted 1s.—he gave it me in part payment of what he owed—the door of that room was usually unlocked, but afterwards it was kept locked—I do not know either of the prisoners—I am out in the day-time at my business.

SOPHIA GRADY. I live with my mother on the first floor of No. 52, Whitcomb-street—Ashley lodged in the garret. I remember the officers coming to search—I had before that seen Miles at the house—he came and knocked at the door one day—it was about a week before the officers came—he asked for the name of William Ashley—I let him in—he went straight up to Ashley's room—there was a young man with him who I should not know—Miles had a dark coat and trowsers on—I did not notice the dress of the other—I saw the men come down again in about ten minutes or a quarter of an hour, and the man who is not here carried a bundle—Miles went down with him—they both went out together—they went up to the room as if they knew it.

JOHN GRAY (*police-constable C 14.*) I remember the day Miles was apprehended on this charge—I saw him that day before he was taken into custody, or the day before, I do not know which, standing about twenty yards from where I live, which is about 200 yards from Mr. Woolgar's house—he was in company with *Bill Ashley*—they stood some minutes together near the public-house door—I knew them both before.

REV. MR. BLISSETT re-examined. I have seen every thing produced before, except these keys and things found at Ashley's, which were not before the Magistrate—these boots are mine—I am positive of them—I left a new pair of gloves like these on the table, and missed them when I returned—this waistcoat was among the property stolen—this shirt is mine—the hat I cannot speak positively to, but I believe it to be mine—these lace sleeves I am positive were in my carpet bag—there was a maroon covered leather writing-desk, mounted with brass taken—the leather produced is exactly the same colour, and the mounting is the same—this ivory box for pencil-points was in the writing-desk—I am positive I left the writing-desk locked—this bunch of small keys were in my carpet bag—I rather think these three were on the table.

Cross-examined. Q. You are most positive to the shirt and waistcoat?

A. Yes, and the boots, and these keys—the bulk of the property has not been found.

Miles's Defence. I knew nothing of the robbery until nearly a week after it was committed.

(James Serman, a traveller, of Queen-street, Edgeware-road, the prisoner Miles's cousin, gave him a good character.)

MILES—GUILTY. Aged 38.—Transported for Life.

BENNETT—GUILTY. Aged 20.—Transported for Fifteen Years.

2037. **LORENZO CANAPI** was indicted for unlawfully, maliciously, and feloniously assaulting Jesse Peters, on the 8th of July, and cutting and wounding him, in and upon his left thumb, with intent to maim and disable him:—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

JESSE PETERS. I live in Fletcher's-place, Islington. On the 8th of July, between five and six o'clock, I was in Cross-street, Islington, and saw the prisoner with a hurdy-gurdy—he was heaving stones at some boys, and they were heaving stones at him—after that I observed my little

brother, who is nine years old, I saw the prisoner hit him and kick him—I had not seen whether my brother had thrown stones at him—he ran towards me—the prisoner followed him, and hit him—I asked what he was going to do, and held my arm to him—he then drew a knife from his side-pocket—he had a string to it—he tied the string round the knife, and came towards me, and cut me—he held the knife to me, and struck at my breast, but I held up my hand and received the cut in my thumb—I did not strike him, nor attempt to strike him—I held my arm up to keep him off my brother—I then ran away from him, my thumb bleeding a good deal—I staid till the policeman took him, and then went to a surgeon.

Cross-examined by MR. PAYNE. Q. How old are you? A. Sixteen years—I had been to fetch some butter—I did not see what took place before I saw him running after my brother—I cannot read or write—I held up my hand, and then he took out the knife—I did not go up afterwards to take the knife from him, I meant to catch hold of him with my left hand—my thumb got well in a fortnight—I was about twenty doors off him—he followed me off the pavement the first time—when I went home, he ran away—my father went out and stopped him and took him—the surgeon put a plaister on my thumb—it was afterwards poulticed, and is quite healed now.

TIMOTHY JOSEPH PETERS. I am nine years old. On the 8th of July I saw the prisoner with his hurdy-gurdy—there were boys throwing stones at him, and he threw stones at them—I did not throw any—he knocked me down and kicked me—my brother came up, and I ran towards him—I saw him stab my brother.

Cross-examined. Q. What had you been about, what were you doing? A. Sitting on the pavement—I did nothing to him.

WILLIAM CHARLES CHAPMAN. I am a town traveller, and live in Lower-terrace. I saw the prosecutor holding up his hand to prevent the prisoner striking his brother, as I thought—I saw the prisoner draw a knife from the side of his jacket, open it, and strike at the prosecutor about the shoulder—the prosecutor stepped back, and held his hand up, and it stuck him in the thumb and cut him—the prisoner then shut the knife and walked away—the prosecutor walked after him, and held up his hand as if to collar him—he opened the knife again, and struck at him several times, and cut him through the hat—I turned to take hold of him, and he turned round to me, but did not strike at me, but shut his knife and walked off—I came up the instant he was taken.

Cross-examined. Q. He was going away the second time when the prisoner went after him? A. Yes—I saw no stones thrown.

NATHANIEL HENRY CLIFTON. I am a medical student. The prosecutor came to me—I dressed the wound, which was inside the thumb on the left hand—it divided the integuments—it was quite well in a fortnight.

Cross-examined. Q. It had no dangerous appearance at any time, had it? A. I believe not—he came to me the same day—it did not appear to have been inflicted by a very sharp instrument.

ROBERT EVERETT. I am a policeman. I took the prisoner to the station-house—I searched him, but could not find the knife.

CHRISTOPHER NORTH. I was present when the prisoner was in the station-house—the knife was not found on him—I afterwards found it on the seat where he sat after he was removed from one room into another—it has a spring to it.

(The prisoner being an Italian had the evidence communicated to him by an interpreter.)

(The prisoner received a good character.)

GUILTY.—Of an Assault. Aged 18.—Confined Six Months.—One Week in each Month solitary.

2038. **JOHN PHETHEON** was indicted for stealing, on the 26th of February, at St. George, Hanover-square, 4 salt-cellars, value 4l; 6 ladles, value 1l. 5s.; 18 forks, value 9l.; and 6 spoons, value 4l.; the goods of Thomas Robert Baron Hay, his master, in his dwelling-house:—2nd COUNT, stating it to be the property of the Earl of Kinnoull, in Scotland.

MESSERS. BODKIN and BALLANTINE conducted the Prosecution.

THOMAS MOWBRAY NEATHAM. In July last I was butler to the Earl of Kinnoull, at No. 58, Green-street, Grosvenor-square, in the parish of St. George, Hanover-square. The prisoner was the under butler—his Lordship was leaving town in July—previous to his leaving it was customary to examine all the plate before it was sent to the banker's—a small portion of the plate was left behind in the house, kept in a small iron chest—on the 14th of July I told the prisoner to put all the plate out as usual, that it might be examined before it was sent to the banker's—next morning I went into the pantry—the plate was in the strong closet—the prisoner was in the pantry—I did not find the plate put out, but found one chest packed and another partly packed—I said, “I desired you to put the plate out that I might examine it before any part was put away”—he said, there was bags belonging to what was put away, and he thought it much better to put it in the chest out of the way—I asked him the contents of the chest, and as he named them I wrote them down in a memorandum book—it was the chest No. 1, which was already packed—he lifted the trays out of the chest—I saw the large things, and there was a number of small things, which I took his word that they were there as he named them—he locked that chest down, and we went on packing the other chest—I said, “Now we will put all the plate out in the pantry before any more is put away, we will have it out and examine it”—it was done—I examined it and missed the snuffer-tray—I asked him where it was—he said he would tell me after a short time—I then went on, and missed a lemon-dish and two strainers—I asked him where they were—he said he would tell me after a bit—these articles were replaced by the prisoner the same evening—I found the remainder of the plate correct as far as I examined—about twelve o'clock the same night I went into the pantry, and opened the chest No. 1, which had been packed by him—I examined them by the list he had given me, and found four salt-cellars missing, and six ladles—I examined the other chest, and found it right—next morning I went into the pantry—the prisoner came in afterwards—I told him I had a claret cork to put away, and asked him what chest we should put it into—he said, “No. 1 chest”—when this chest was opened, I said, “I did not examine the contents of this chest, it would be more satisfactory to myself, and also to you, that we should examine it”—I told him to take all the things out—I asked him if the things were in that chest according to the list, and read it down to him three times over, and he said it was correct—I then said it would be more satisfactory to examine them—they were taken out, and four salts and six ladles were missing—I asked him where the salts

were—he said he had pawned them—when we missed the ladles I asked where they were—he said he had pawned them also—I told him they must be forthcoming, as the chest would leave the house at nine o'clock to go to the banker's—this was about half-past seven o'clock in the morning—he said if I would allow him an hour they should be forthcoming—I said, "Now we had much better examine the contents of the iron chest," of which he kept the key—I did so, and asked him the contents of the chest—he laid six tea-spoons and two salt-spoons down before me, and said, "That is all"—I had a list of what ought to be in it, which I received in February from his Lordship—it was quite right then—I missed twelve table-forks, six table-spoons, and six dessert-forks—I asked where they were—he said he had pawned them—I told him all the plate missed must be forthcoming by nine o'clock—he said it would if I would allow him an hour, they should be produced—I consented, and he was going away to fetch it—I said, "Stop, John"—Mr. Dudfield, (who is groom of the chamber to his Lordship) went with him—they returned shortly, and the prisoner produced one table-fork, and nine duplicates—I told him the plate must be forthcoming, for the chest must leave by nine o'clock—he said he had not the money to get them—I asked him whether he could not borrow it—he said he could not—he went away with intent to borrow it, and returned, and said he could not—I gave directions for him to be watched—he went to the pantry—I gave Mr. Dudfield a 5*l.* note to fetch some things out, and gave him three duplicates for the four salts and six ladles—he went and brought them—I sent him that the plate might go away at nine o'clock—this was about eight—I left the prisoner in the pantry, and while I was gone up to his Lordship's room to inform him, the prisoner went away without my permission—he was brought back by a publican, about seven o'clock in the evening.

Cross-examined by MR. JONES. Q. What is the name of Lord Hay? A. Thomas Robert—Hay is the family name, Thomas Robert are his Christian names, and Hay is the surname—I believe Hay Drummond Hay is the name—the prisoner lived in the service upwards of ten years—his wages were thirty guineas a year—Tuesday was the first time I spoke to him about the plate—it was afternoon, or evening—he did not sleep in the house—he came next morning, as usual—on the Wednesday we looked over the plate—he went away on Thursday—I saw the snuffer-trays, lemon-dish, and two strainers in the pantry afterwards—he told me he had pawned them—I suppose he redeemed them, for he brought them back himself—he did not say he had redeemed them—I had not given him any directions not to go away when I went up to speak to Lord Kinnoull—I did not at any time say to him, "What could have possessed you to have gone away, and had you not gone I would have got the articles out of pawn;" or that I would have lent him the money to redeem them—he was brought back by Graham, the publican—I did not say, "What could have possessed you to go away?" that I recollect—when he was brought back I believe I said, "You have done yourself by going away"—I do not think he said he had been among his friends to borrow money to redeem the plate—I have six of the duplicates which were brought back by him—I do not recollect whether there was an endorsement on the back of one ticket—Mr. Dudfield gave me nine duplicates in the prisoner's presence—I believe nothing was said about handing the duplicates to me—I never promised him to redeem any of the articles—his wages were paid every six months.

FREDERICK MORTIMER DUDFIELD. I am groom of the chambers to the Earl of Kinnoull. On Wednesday, the 15th of July, Neatham spoke to me about the plate being missing—I accompanied the prisoner from the house on Thursday morning—he took me to No. 44, Market-street, where he lodged—I waited at the door—he came out, and brought the nine duplicates and one silver fork from his pocket—I delivered them to Neatham in the prisoner's presence—Neatham afterwards gave me a 5*l.* note, and I redeemed the four salts and six ladles named in three duplicates.

DAVID NUNN. I am shopman to John Duttin, Edgeware-road, pawnbroker. I have six table-spoons pawned at our shop on the 26th of February for 3*l.* 10*s.*—these three duplicates refer to the articles pawned in the name of John Phetheon—I do not recollect who pawned them—it was a man—here are six dessert forks that were pawned with us for 30*s.* on the 18th of March in the same name—the duplicates of them are here—I produce two table-forks pawned on the 15th of July, in the name of Ann Taylor, by a female—the duplicates of them are here.

EDWARD LEWIS. I am shopman to Mr. Greygoose, of Crawford-street, Marylebone. I produce four silver table-forks pawned on the 15th of July by a female.

Cross-examined. Q. Have you any duplicates on which the interest has been paid? A. No.

THOMAS MOWBRAY NEATHAM re-examined. I had not seen these forks that day, nor the day before—we had not examined the contents then.

ROBERT COPEN. I was apprentice to Thomas Smith, of the Edgeware-road. I have four table-forks pawned on the 18th of March for 30*s.* in the name of John Porter, No. 41, Market-street—I do not know who by—I produce another fork pawned on the 15th of July in the name of Ann Phetheon—the corresponding duplicates are here.

JOHN GRAHAM. I keep the Globe public-house, North Audley-street. I knew the prisoner in Lord Kinnoull's service—I heard something, and saw him in George-street, New-road, on Thursday evening, the 16th of July—I told him I had heard of the case, and requested him to return with me, as it would be best for him—he said, "I want to call on a friend," he had a parcel—I went with him to his friend's, and he came with me very quietly without resistance, between seven and eight o'clock in the evening—I left him at Lord Kinnoull's house.

Cross-examined. Q. Was he going in a direction to Lord Kinnoull's house? A. Not exactly, he was going to Kentish-town—he was going towards Hampstead-road—there was a turning which would lead to Lord Kinnoull's house, but he turned a different way.

HENRY BERESFORD. I am an inspector of police. I went to Lord Kinnoull's house after the prisoner was brought to the station-house—I searched the prisoner's writing-desk, and found a paper with Lord Kinnoull's seal.

Cross-examined. Q. Did you hear him asked how he came into possession of that seal? A. No, he was not there—the seal has not been out of my possession—I produced it before the Magistrate—the prisoner was present.

JOHN CONNELL. I am agent to Lord Kinnoull, in London. His lordship is a Scotch earl, and sits in the House of Peers as Lord Hay, an English peer—his Christian names are Thomas Robert—his surname is Drummond Hay.

Cross-examined. Q. Tell me all his names? A. Thomas Robert

Drummond Hay, Earl of Kinnoull, in Scotland—his original name was Hay—he took the name of Drummond with an estate—he is described by those names.

(Property produced and sworn to.)

(The prisoner received a good character.)

GUILTY.—*Recommended to mercy, believing he intended to replace the property.*

2039. JOHN PHETHEON was again indicted for stealing, on the 6th of November, 1 silver saucepan, value 2*l.* 10*s.*, the goods of Thomas Robert Baron Hay.—2nd COUNT, of the Earl of Kinnoull.

THOMAS MOWBRAY NEATHAM. I am servant to the Earl of Kinnoull. His Christian name is Thomas Robert—he is a Scotch Earl—his English title is Baron Hay. I was in his service fifteen years last July—the prisoner was under-butler—the plate was counted out by my directions, and part of it was under my examination—after the counting of the plate, in consequence of something that occurred, I went up to Lord Kinnoull to make some communication to him—I left the prisoner below—when I came back I found him gone—he was brought back by a publican named Graham, in the evening about half-past seven—I had called his attention to articles missing in the plate—the prisoner said nothing to me about a saucepan—*(looking at one)*—this is Lord Kinnoull's property—it is upwards of two years since I had seen it—I last saw it at Duplin Castle, Perthshire—it was used in Lady Kinnoull's room—it came down stairs in a general way to be cleaned—the prisoner was at Duplin Castle, and followed the family to England two years last April—this is worth under 5*l.*—in the natural course of things this would come to England.

Cross-examined by MR. JONES. Q. Is there any mark on it? A. No, I do not think there is—I am positive it is Lord Kinnoull's property by its being mended here—I had not said any thing to the prisoner about it—I have seen the duplicate said to refer to the saucepan.

MR. BODKIN. Q. Was such an article as that missed? A. Not till it was found—I have had it through my hands repeatedly.

JOHN GRAHAM. I am a publican in North Audley-street. On the 16th of July, I saw the prisoner in George-street, going toward Hampstead-road—I had heard something about plate, and stopped him—he came back with me to Lord Kinnoull's house—he called in Charles-street East, and left something there.

Cross-examined. Q. Was he going, when you first met him, in the direction towards the house where he afterwards called? A. I should say not, because he turned to the left to call on his friend—he turned with me, and then called on his friend—he had not passed his friend's house—he had not arrived at it—he was going in a way that would lead to it.

HENRY HOPTON. I am a coach-maker, and live in Charles-street East, Hampstead-road. On Thursday evening, the 16th of July, the prisoner called on me in company with Graham, and left a parcel with me—I believe he had it in his hand, but I am not quite certain whether he had it in his hand or took it from his waistcoat pocket—when he was gone I opened it—it contained pawnbrokers' duplicates—I gave them to inspector Beresford—I had only seen the prisoner twice before, nine or ten months back.

Cross-examined. Q. Did he say any thing to you when he gave you

the parcel? *A.* He merely asked me to take care of it—he did not state what it contained.

WILLIAM HENRY MILLS. I am a pawnbroker, and live in Edgeware-road. On the 6th of November this saucepan was pledged at our house in the name of Mary Turner, No. 5, Pechel-street, for 2*l.* 10*s.*—I cannot recollect who by—it was taken in by a young man who has since left—this is the duplicate that was given for it.

Cross-examined. *Q.* Can you tell whether the article was pawned that day, or the ticket renewed? *A.* I am certain it was pawned, because that day twelve months I was not in business there.

HENRY BERESFORD. I am a police-inspector. I received ten duplicates from Hopton, one of which is the duplicate produced.

Cross-examined. *Q.* Were the other nine for articles of wearing apparel? *A.* Several—one was for a gold pencil-case—I have made inquiries to whom they belong—one article has been claimed by Lord Kinnoull.

MR. BODKIN. *Q.* Has the gold pencil-case been claimed by Lady Kinnoull? *A.* No—she has not seen it.

GUILTY. Aged 34.—Transported for Fourteen Years.

First Jury, before Mr. Baron Gurney.

2040. **JOHN BROUGHTON** was indicted for unlawfully, maliciously, and feloniously assaulting James Jennings, on the 3rd of August, and cutting and wounding him upon his forehead, with intent to maim and disable him. 2nd COUNT, stating his intent to be to do him some grievous bodily harm.

JAMES JENNINGS. I am a policeman. On the 3rd of August I was on duty in Down-street, Piccadilly, about twenty minutes before one o'clock in the night—I was called by my brother constable for assistance—I went up, and he was ordering some prostitutes away—there were four or five in the street—the prisoner was in company with them, and said he wanted to know what the b—— h—— had to do with the girls, to order them away—the constable said he was not alluding to him, he was ordering the girls away—he then turned round and kicked him about the side of the head, and kicked him and knocked him down—I then immediately seized hold of the prisoner, and he kicked me in a brutish manner about my thighs very much, and about my legs, and afterwards knocked me down into the road—I got up as soon as I could, and pursued after him, and about three yards before I got to him I saw his hand against his breast-plate, and he said, “You b—— b——, I will do for you,” and no sooner was the word out of his mouth than he cut me in the eye with his breast-plate, and I became insensible—when I recovered I found myself in St. George’s Hospital, with a cut over my eye—I came out of the hospital on the 18th.

JESSE JEAPE. I am a policeman. I was in Down-street on duty—there were some women there, who were noisy—I went and ordered them to move away—the prisoner asked what I had to do with it—I told him I was not alluding to him, all I wanted was for the prostitutes to move away—he put himself in an attitude to fight, and struck me on the nose—I called my fellow-constable to my assistance, and when he came up he began to kick him on the legs and thighs—he then took his belt off over his head, and struck him across his eye with the brass plate which was on his belt—he then turned round, kicked me in the stomach, and kicked me

down—my comrade was taken to the hospital—the prisoner was not apprehended till afterwards.

THOMAS PERRIN TARRANT. I am surgeon of the hospital. The prosecutor was brought in, with a severe cut over the left eye—a soldier's plate on his belt might inflict such violence, by forcibly striking against the part—there was very little blood lost when he was brought in—I do not think he had lost much before—it was rather a severe cut.

Prisoner's Defence. I was not aware of any thing of the sort; I had been along with some friends, and had something to drink, more than I ought.

GUILTY of an Assault only. Aged 23.—Confined Six Months.

2041. **SARAH LOTT** was indicted for unlawfully, maliciously, and feloniously assaulting Mary Ann Clewly, on the 9th of July, and cutting and wounding her in her left arm, with intent to maim and disable her.—2nd COUNT, stating her intent to be to do her some grievous bodily harm.

MARY ANN CLEWLY. I am single, and live in High-street, Great Garden-street, Whitechapel—I did live in the same house with the prisoner. On the 9th of July, about twelve o'clock in the day, I went up into her room, with Maria Morris, and asked her for a box of clothes which she had of mine—she said I should not have them—she was lying on the bed at the time—the things were in the room, and I took them away, and took them down stairs to the next house—about half-an-hour after I came up again, but she was not at home—about half-past three or four o'clock I went up again, and asked her for an apron, which she had on, of mine—she refused to give it me, and I untied it—it fell off—Morris took it up, and ran down stairs with it—the prisoner took the poker and threw it after her—she then went to lie down on the bed again, and told me to go out of the room—I said I would not go out unless she gave me the things she had belonging to me—there were other things there belonging to me, which she had on at the time—she said she should not give them to me, she thought what I had had of her would very well pay me—I said, "Very well, I will go"—she said, "If you do not go out directly I will stab you"—she hit me, and I struck her again—she then took up a knife, and stabbed at my face—I put up my arm to defend my face, and my arm was cut from the wrist to the elbow—I went down stairs into the next passage, and there I fell down, and fainted away—I went to Mr. Little, a surgeon, in Leman-street.

Prisoner. Q. Did you not break open my door, and take the things out? A. No, nor did I assault you at all.

EMMA MORRIS. I went with Clewly to the prisoner's room—the door was just closed—she *shoved* it open—it was not broken open—the prisoner said if I did not go out of her place she would heave the poker at me—I ran down stairs, and she threw the poker after me—I went up again, and she struck Clewly, and took up a knife, and said, if she did not go out of the place, she would stab her—she did stab her, and she put up her arm—I ran down stairs, and said, "She has stabbed the woman."

Prisoner. This girl's sister was transported from this bar; she never saw more of it than a stranger. *Witness.* I certainly did see it—the door was not broken by us—I do not know when it was broken.

CAROLINE CHRISTIAN. I am single, and live at the end of the court. After the fight and noise was over I went with the man to have the door repaired, and while he was engaged in repairing it I was putting

some water into the washing-tub, and out of the can with which I was dipping came a knife—the can was in the water tub—I gave the knife to the policeman—I did not see any thing of the door being broken—I know it was broken, because it was off the hinges—I do not know when it was done—I had not seen it before.

MARY ANDREWS. I was lying on my bed, and heard the prosecutrix go into the prisoner's room—she said if she did not go down stairs she would hit her with the poker—I afterwards heard her say, "If you do not go out of my room I will stab you with a knife," and a few minutes after I heard somebody halloo out, "Murder"—when I went down stairs I saw the prosecutrix lying, with her arm all in a gore of blood"—I bound it up—I heard the prisoner say she was sorry for what she had done.

HENRY PAVEY. I am a surgeon. The prosecutrix came to the London Hospital, where I was—she had an incised wound on the back part of the left fore arm—it was a bad wound, deep, and extended from the wrist to the elbow—she is not well yet—it is not likely to endanger the use of the arm ultimately, when it gets well.

EDWARD WIGLEY. I am a policeman. I apprehended the prisoner about an hour after this happened—I saw the door was broken, as a great many more are in that court—it is a regular thing—the whole court is let out to unfortunate girls.

(*Prisoner's Defence, written.*) "Six weeks ago, between two and three o'clock in the afternoon, Mary Ann Clewly, during my absence, broke open my door, and took out her box and clothes. She went away; she returned about half an hour afterwards, I had then got home, and was much surprised to find my door broke open. I had got an apron of her's on, which she came to fetch; I refused her to give it till she explained why she broke my door open, and took her things away, while I was out. She would not give me time to untie the apron, but tore it off, and gave it to a woman she had brought with her, who took it and ran down stairs with it. She then struck me a violent blow on the eye, and severely scratched my face and tore my gown all to pieces. I did not return her blows, as she is a strong powerful woman. She then became calm, as I told her several times to go out of my room; my little boy came in and asked me for a piece of bread and butter, I took up the loaf and knife to cut him some, she turned round, as I thought, to go out of the room, instead of that she made an aim at me again. I held up my right arm to prevent the blow, and she struck her arm on the knife. I was so frightened I let the loaf and knife fall on the floor. She went down stairs then, I followed her down to see if she had hurt her arm much; when I found she had cut her arm I was exceedingly sorry, as I only held up my arm to prevent her striking my face again. The Sunday prior to the quarrel, this woman, a total stranger to me, came and asked me to let her leave her box, and stay with me in the day-time, which I did, not knowing she was given to drink or of so violent a temper. I was never accounted a bad temper or quarrelsome disposition. This being my first offence, I trust you will be pleased to take my situation into consideration."

GUILTY of an Assault only. Aged 24.—Confined Twelve Months.

Fourth Jury, before Mr. Recorder.

2042. ELIZABETH GOSNELL was indicted for unlawfully, maliciously, and feloniously assaulting Elizabeth Line, on the 21st of July, and

cutting and wounding her on her right temple, with intent to maim, disfigure, and disable her.—2nd COUNT, stating her intent to be to do her some grievous bodily harm.

ELIZABETH LINE. I am a widow, and live in Ann-street, Blackwall; I did live in Well-street, Poplar. On Tuesday, the 21st of July, I was in the yard of the house conveying the water out of the water-tub into the next tub—the prisoner was the landlady of the house—she came out from the kitchen with an earthenware quart jug in her hand—she said nothing to me about the water—she walked round me and dipped her jug into the tub I was taking the water from—she threw the water into my face, and at the same moment caught hold of me by the side of the head with her hand, struck me with the jug, and broke it with the blow—it knocked the bottom off—she then took the broken jug and hit me with the remaining part of it higher up on the head than before—I saw the blood flow to the ground, and put my hand up, screamed louder, and was taken to the doctor's—I fainted from loss of blood—I was confined to my bed from Tuesday till the Monday following—I had not been quarrelling with her before, but an hour before she had been using very ill language to me, but I made her no answer—I had given her no provocation—I believe she was rather in liquor—she has many times quarrelled with me, and two months before I bound her over to keep the peace towards me.

Cross-examined by Mr. PAYNE. Q. Had you and she always been good friends? A. Yes, except when she was in liquor—this happened about four o'clock in the afternoon—I was quite sober—I had had no dispute with her that day—I never abused her—I did not put a hot iron in her face and burn her cheek—I had one in my hand at the time she came into my room—she did not give me notice to quit—there was no jealousy between us—I was ironing my baby's clothes—she used very abusive language to me, and said I wore a widow's cap and she would soon have it off—she took my cap off my head, and I lifted the iron to protect myself, not to burn her face—I did not see whether it burnt her—her husband has beat her many times for her ill conduct—her husband and I were not better friends than other people—I did not throw any water on her on this occasion, nor hit her with the bowl, nor any thing of the sort—she did it without any provocation.

ELIZABETH PHILLIPS. I am the wife of Thomas Phillips, a sailor, and live in Well-street. I was in the next yard to the prisoner—the wall being low I looked over, and saw the prisoner come out with a jug in her hand, dip it in the water, and then come on the right-side of Mrs. Line, throw it in her face, and immediately strike her, the bottom of the jug fell, and the second blow cut her—I saw the blood—Line had done nothing to provoke her that I saw.

Cross-examined. Q. Where is your husband? A. At sea—I go out washing—I live with my mother, who is a widow—I had not spoken to the prisoner for nine months, because I did not think it right, as she annoyed every one of the neighbours when she could—she had not said any thing about me in particular, but about every one—she accused me once of taking 2d. off the bar of the wine-vaults, but when I asked her about it she said she did not say so—my husband has been away three years.

FREDERICK WALTER. I am a policeman. I was sent for on the 21st of July, about half-past four o'clock, and took the prisoner into custody—she made great resistance, and said she would not go with me—her hus-

band and several in the house wished her not to go with me—she laid down in the room, and he sat on her clothes—after a deal of trouble, I got her out of the room—I asked what she meant by serving the woman as she did—she said she had not hurt her, and the loss of a little blood would do her good—I told her the state the woman was in—the prosecutrix's clothes were soiled with blood—she was struck about the temple.

Cross-examined. Q. I believe she persisted in saying she did not think she had hurt her much? A. Yes—we frequently have a deal of trouble with her—she has not been out of Clerkenwell above three weeks—I have been about nine months in the police—I did not get up this case—I have witnesses to prove it—I do not conceive I am prejudicing her by saying she has been in prison before—she was in Clerkenwell before, for felony.

HORATIO BLOOMFIELD. I am a surgeon, and live at Poplar. I saw the prosecutrix—she had a wound in her forehead—it was a very small one, but it divided a branch of the temple artery, and caused considerable loss of blood—there was also a mere skin wound below that—the wound healed within twenty-four hours, but she continued faint from loss of blood four or five days—it healed by the first intention.

GUILTY. Aged 38.—Of an Assault.—Confined Six Months.

2043. WILLIAM DALTON was indicted for feloniously breaking and entering the dwelling-house of Henry Cordell, on the 3rd of August, at St. James's, Clerkenwell, and stealing therein 4 yards of ribbon, value 1s. his property; and that he had been before convicted of felony.

HENRY CORDELL. I am a dyer, and live in White Lion-street, in the parish of St. James, Clerkenwell; it is my dwelling-house. In consequence of something that was said to me on the 3rd of August, I noticed a square of glass in the window—it had been cracked, but a piece was forced in, and four yards of ribbon taken out—I found a piece of glass inside the window—I had observed it about twelve o'clock in the morning—it was whole then.

FREDERICK DANIELS. I live opposite the prosecutor. On the 3rd of August, I saw the prisoner put his hand through a square of glass, and take out something, I do not know what—he put it into his pocket, and ran away—I followed him into Claremont-square—he said he was looking for some money which he had dropped in the square—I took him back to the shop.

Prisoner. He took me by the arm and *whacked* me; Mr. Cordell wanted to let me go, as he had lost nothing, but the witness said he would not let me go without I paid for it. *Witness.* I never said any thing of the kind.

MATILDA CHURCHILL. I am the wife of Henry Churchill, and live in Claremont-mews. I saw the prisoner in Claremont-square, sitting down on the stones, and saw Daniels apprehend him—the prisoner took his hat off, and dropped some ribbon from his hat, with a shilling—I was crossing the road, and picked up the shilling—a fish-man picked up the ribbon—there were two pieces—one was a bright plum colour, and the other a dark brown—two lads came up and said they knew the boy, and would take him the ribbon and shilling—the fish-man told me to give up the shilling, which I did, and he gave them the ribbon.

MARTHA ROYAL. I conduct the business of my uncle, Mr. Cordell. The colours of the ribbons that were lost were brown and plum.

THOMAS ROSE. I am a policeman. I took the prisoner into custody.

JOHN ROADKNIGHT (*police-constable G 167.*) I produce a certificate of the prisoner's former conviction—(*read*)—I was present when he was convicted—he is the same person.

GUILTY.* Aged 17.—Transported for Ten Years.

2044. WILLIAM BOYCE and MARY BOYCE were indicted for stealing, on the 17th of July, 1 sovereign and 1 shilling, the monies of Henry Lucas, from his person; and that William Boyce had been before convicted of felony.

HENRY LUCAS. I live at Mr. Wild's, in Rosemary-lane. On the afternoon of the 17th of July I met the prisoners in Rosemary-lane—the man asked me to treat him to a pot of beer—I said I would—I took him into a public-house, and called for a pot of beer—I pulled out a sovereign and two shillings—I had to change a shilling for the beer, and was going to put the rest into my pocket, when the woman knocked my elbow, and the money fell on the floor—the man picked it up, put in into his pocket, and went out—the woman followed him—I was a stranger in England, I had only been about two hours in London, and was never here before—the witness Windsor was showing me my way about—I told him what had happened.

Cross-examined by MR. PAYNE. Q. Were not both the prisoners drunk? A. They were very drunk, but knew what they were about—the money was loose in my pocket—I was a little tipsy—the woman knocked my elbow on purpose—I am quite sure the sovereign was dropped—the two witnesses were in the house—I cannot say how many more—there was a woman inside the house.

THOMAS WINDSOR. I am a labourer, and live in Hearn's-court, Dock-street, East Smithfield. On the 17th of July I met the prosecutor in Rosemary-lane—he asked me to show him the way to a cheese-merchant's, and in the way we saw the prisoners—the man said, "Old boy, will you stand a pot of beer?"—he said he would—he went into the tap-room, ordered the pot of beer, and pulled his money out to pay—the woman dodged him in the elbow on purpose, and the money fell down—I saw the man pick it up—he had a sovereign in his right hand and a shilling in his left—they ran out directly—I found Chaplin, the constable, about half-past seven o'clock, and told him—it happened between two and three o'clock—the man was drunk, but the woman was not so very drunk.

Cross-examined. Q. Was not William beastly drunk? A. Yes—the woman knew what she was about—it was a planned thing—a man named Ryan was in the house—they went off too quick for me to stop them—I was quite sober—I went after a policeman, but could not get one—I called the landlord—he took the woman and *shoved* her out—the man had run away, and the woman remained—she took up her shoe in the scuffle, and was going to hit Lucas with it.

DENNIS RYAN. I am a labourer, and live in Crown-court, Blue Anchor-yard. I was at Hawkins's public-house, and saw the prisoners and Lucas come in—I heard a noise in the tap-room, and when I entered I saw Boyce stooping, and saw a shilling roll round to my toe—Boyce picked it up, and went off with it—he put his left elbow on the bar, and changed something from his left to his right hand, put it into his pocket, and walked out.

Cross-examined. Q. All the parties were the worse for liquor, were they not? A. None of them so bad as not to know what they were

doing—they were not drunk, but rather tipsy—I saw no beer brought in, nor any money changed—I knew Boyce before—I did not know whether the female prisoner is Mrs. Boyce—I believe she passes as Mrs. Boyce—I know nothing of their living together.

JOSIAH CHAPLIN. I am a policeman. I took the prisoners into custody, in their own room, early in the morning—I found them in bed together—I told them they were charged with stealing a sovereign and a shilling—the prosecutor was present—they both denied having seen him, or having any conversation.

Cross-examined. Q. Did not they say they had never seen him, to their knowledge? A. Yes.

MR. PAYNE called

THOMAS BAKER. I am a shoemaker, and live at Johnson's-change, Rosemary-lane, about twenty yards from Hawkins's door. I was in my own room, and saw the prisoners and prosecutor, very much in liquor, enter the public-house—I did not see any thing that took place inside—I saw the male prisoner come out first, and afterwards saw the landlord put the female and the prosecutor out, and say he would not draw them any beer, but to go where they had been getting drunk—I afterwards saw the prosecutor and the chief witness (Windsor) standing in conversation together, as soon as they were put out of the public-house—they were there about five minutes—they then walked towards the Minories—they returned in about two hours—I was then standing talking at the public-house door—Windsor said the prosecutor had lost a sovereign—there was another young lad with him, who is a very bad character—he said the lad had accompanied them over the water—I asked what they had been doing over the water—he said they had been to an alehouse, and had three glasses of ale each, they then went into an eating-house, and had something to eat, and some ginger-beer—I asked who paid for all this—he said the prosecutor paid for it, and he said to the prosecutor, "George, where is your sovereign?"—he said, "I have it safe in another pocket, wrapped up in a piece of rag"—Windsor said to him, "Show it to me?"—he felt in his pocket, and said, "I have lost my sovereign"—Windsor said, "Let us go back to the public-house where we were, and see if them people have not got it;" and so they came there.

THOMAS WINDSOR re-examined. This is not true—he had the same story at Lambeth-street—I had no conversation with him—it is all invention.

HENRY LUCAS re-examined. I never saw that man before.

GEORGE JOHNSON. I am a greengrocer; I was a policeman. I know the male prisoner—I was present when he was convicted—he is the person mentioned in this certificate, which I got from Mr. Clark's office.—(read.)

W. BOYCE. Aged 40.—**GUILTY** of Stealing, but not from the person.
Transported for Seven Years.

MARY BOYCE—NOT GUILTY.

NEW COURT.—Friday, August 20th, 1840.

Fifth Jury, before Mr. Common Sergeant.

2045. **JAMES BROWN** was indicted for stealing, on the 10th of July,

5 gun-barrels, value 15s., the goods of John Edward Barnet; to which he pleaded

GUILTY. Aged 19.—Confined Six Months.

2046. **JAMES ALEXANDER** was indicted for stealing, on the 8th of August, 2 sheets, value 9s., the goods of Thomas Grout; to which he pleaded

GUILTY. Aged 37.—Confined Three Months.

2047. **TIMOTHY JOHNSON** was indicted for a misdemeanor.

MESSRS. BODKIN and ESPINASSE conducted the Prosecution.

WILLIAM SPRATT. I keep the Rockingham Arms public-house, in Hosier-lane, Smithfield. On the 20th of July the prisoner came for half-a-pint of porter—he offered me a bad shilling—I bent it and told him it was bad—he ran out and I followed—he dodged about the lane till I called for assistance—he ran to Smithfield, and was there secured—I gave the policeman the shilling.

THOMAS HANSON GODDARD. I live in Searl-street, Paddington, and am a cattle-dealer. I was in Smithfield on the 20th of July, and saw the prisoner running—I saw him drop a shilling down an area—I saw it taken up, and given to the officer.

WILLIAM FREDERICK FENTON. I live in West Smithfield. I went into my area, on the 20th of July, and found a bad shilling—I gave it to the officer.

CHARLES CHAMBERS (*City police-constable, No. 528.*) I was in Smithfield—I heard a cry of “Stop thief,” and saw the prisoner in custody of the prosecutor—I received these two shillings from the witnesses.

MR. JOHN FIELD. I am inspector of counterfeit coin to the Mint. These shillings are both counterfeit.

Prisoner's Defence. It rained; I went into the house, and asked for half-a-pint of beer; I gave him the shilling; he said it was bad. I said, “Is it? I have got no more;” he gave it to me, and then he said, “Show it me again;” I did, and he said he would give me in charge.

GUILTY. Aged 18.—Confined Six Months.

2048. **ANNE BARLOW** was indicted for a misdemeanor.

ALFRED DOUBLE. I am the son of Thomas Double, he keeps a shop in Leather-lane. On the 8th of August the prisoner came for 1d. worth of white lead—she gave me a sixpence—I gave it to my father—he said it was bad—the policeman was sent for—my father marked the sixpence, and gave it to him.

JOHN ARCHER (*police-constable G 150.*) I produce a sixpence which I received from Mr. Double while the prisoner was there.

JOHN COSGROVE. I am in the service of Mr. Ward, who keeps the Marquis of Granby public-house in Gray's Inn-lane. On the 14th of August the prisoner came for a pint of beer, she gave me a sixpence—I gave it to my master—he said it was bad—the prisoner said she did not know it was bad—she was taken into custody.

JOHN WARD. I received the sixpence from Cosgrove—I gave it to the officer.

JOHN CALLOW (*police-constable G 72.*) I took the prisoner, and have the sixpence—she told me where she lived—I went there and found this bad sixpence on the mantel-shelf.

MARY ANN REDMAN. I searched the prisoner at the station-house, and found 4d. on her, in copper.

MR. JOHN FIELD. These sixpences are all counterfeit.

Prisoner's Defence. I did not know they were bad.

GUILTY. Aged 55.—Confined Six Months.

2049. JOHN ROBERTS was indicted for a misdemeanor.

MARY ANN GALE. I am the wife of John Gale, who keeps the George public-house in George-court, Adelphi. The prisoner came on the 4th of July, between seven and eight o'clock in the evening, for a pint of beer—he offered me a half-crown—I saw that it was bad—I told him so—he said was it—I kept it—I bit it, and gave it the officer.

WILLIAM HOWARD (*police-constable F 94.*) I took the prisoner, and received this half-crown.

WILLIAM MULLINS. I am a police-inspector. I received this half-crown from Howard.

THOMAS LOVEJOY. I am bar-man at the Adam and Eve public-house in the New-road. The prisoner came there with a female, and called for half a quartern of spruce—he offered me half-a-crown—I saw it was bad, and gave it to Mrs. Thompson.

ELIZABETH THOMPSON. I received the half-crown from Lovejoy—I marked it, sent for the policeman, and gave it to him.

Prisoner. Q. Did you not pass it to another person before you marked it? *A.* No—I took a piece of iron from the bar and marked it.

GEORGE WILSON (*police-constable S 134.*) I received this half-crown from Mrs. Thompson.

MR. JOHN FIELD. These are both counterfeit.

GUILTY.* Aged 34.—Confined One Year.

2050. THOMAS BROWN was indicted for a misdemeanor.

WILLIAM WILCOX ROGERS. I am assistant to Mr. Gay, a surgeon, of Duke-street, St. James's. On Sunday, the 19th of July, the prisoner came about half-past nine o'clock and asked for an ounce of salts, which came to a penny—he tendered me a counterfeit shilling—I saw it was bad, and asked where he got it—he said he met his brother whom he had not seen for four years—that his brother was a *cab-man*; and on his telling him he had a pain in his bowels, he advised him to get an ounce of salts, and gave him the shilling—I gave him into custody.

SAMUEL PARSONS (*police-constable C 78.*) I took the prisoner on the 19th of July, and received this shilling from Mr. Rogers.

HENRY SAMUEL COOPER. The prisoner came to my shop on the 8th of August, and I served him with 1*d.* worth of thread—he gave me a bad shilling—I gave it to one of the young men in the shop—the prisoner said a woman in a red shawl gave it him.

WILLIAM JOHN DICKER. I received the shilling from Mr. Cooper. I gave it to the policeman.

WILLIAM JAMES (*police-constable C 84.*) I received this shilling from Dicker.

MR. JOHN FIELD. These shillings are both counterfeit.

GUILTY. Aged 16.—Confined Nine Months.

2051. WILLIAM ADOLPHUS was indicted for a misdemeanor.

NOT GUILTY.

2052. DENNIS REGAN was indicted for stealing, on the 13th of July, 1 handkerchief, value 1*s.* 6*d.*, the goods of Thomas Gilbert Austin, from his person.

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THOMAS GILBERT AUSTIN. On the 13th of July I was passing in Eldon-street—Perrin spoke to me, and I missed my handkerchief—I found the prisoner near Long-alley, and endeavoured to stop him, but he got from me—this is my handkerchief—it was brought to me afterwards.

JOHN PERRIN. I was going along Eldon-street on the 13th of July, witnessing a procession of "Old Friends"—I felt my pocket tugged—I turned, and saw the prisoner behind me—I watched him, and saw him go to Mr. Austin, and from his pocket he conveyed a handkerchief—Mr. Austin went up—he threw the handkerchief away from him, and ran up Long-alley—there were two others with him, who escaped.

Prisoner. You said that two more had it. *Witness.* I did not say any such thing—I said I saw you take it—the prosecutor went and collared you.

Prisoner's Defence. I am not guilty—I was looking at the "Old Friends" going to Highbury to dine.

GUILTY.* Aged 20.—Transported for Ten Years.**

2053. TIMOTHY HAYES was indicted for stealing, on the 15th of August, 2 skins of fur, value 12s., the goods of Charles Lutge.

CHARLES LUTGE. I am a furrier, and live in Newgate-street. I sent a parcel of 480 skins to Mr. John Heckmann, by two of his men, to be dressed—these two skins now produced are mine, and are two of those I sent.

JOHN HECKMANN. I received the skins from the prosecutor. The prisoner was in my service—he and five other men had the skins to work upon—they had no business to sell or part with them.

DAVID ELLIS. I live in Cutler-street. I have bought skins—I cannot be positive that I bought these skins—I cannot swear whether the prisoner is the person I bought these two skins of—the person I bought them of had a seal-skin cap on—I am in the habit of buying of travellers who go round the country, and bring skins of rabbits, and foxes, and others—I gave 10s. for the two skins—it was a man with a full face and raised cheeks—not like myself—I bought them last Saturday night at nine o'clock.

HARRIS MICHAEL. I am a furrier, and live in Cutler-street. I bought these two skins of Ellis, and gave him 10s. 6d. for them—I took them in payment for cash—I did not ask where he got them, as he has lived in Cutler-street for years, and pays his rent and taxes well.

JAMES DOBSON (*City police-constable, No. 114.*) I took the prisoner—he said he knew nothing at all about the skins.

JOSEPH WARD. I am a skin-dresser, and work for Mr. Heckmann. I know that one of these skins passed through my hands—I received it from the prisoner—I did my work to it, and put my private mark on it—this was on Saturday, the 15th of August—they are store marten-skins—when I had done what I had to do, they were hung on a line in Mr. Heckmann's house—I do not suppose they would have been dry enough to go back to the prosecutor that night.

CHARLES LUTGE re-examined. I took Ellis to Mr. Heckmann's on Monday—the prisoner was not there, but he saw all the other men—he said, "The man is not here"—we went out and overtook the prisoner, and Ellis said, "That is the man"—the prisoner had a seal-skin cap on.

(*The deposition of Ellis was here read as follows:* "David Ellis says,

'The prisoner came to me on Saturday night last, about nine o'clock; he offered these two skins for sale. He said they were left over from his share of work.' I asked if he was a master dresser. He said, 'What is that to you?' I gave 10s. for them."

GUILTY. Aged 30.—Confined Six Months.

2054. **JOHN ROBERTS** was indicted for embezzlement; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

2055. **WILLIAM ATKINS** was indicted for stealing, on the 13th of July, 1 bag, value 1s.; 5 pair of ear-rings, value 3l.; 1 pillar-plate and joint, value 5s.; 1 dial-plate, value 2s. 6d.; 1 bolt and spring, value 2s. 6d.; 7 watch-wheels, value 7s.; 6 watch-pinions, value 3s.; 1 watch-barrel arbor, value 1s. 6d.; 1 watch-band cover, value 1s. 6d.; 1 pot-tance, value 7s.; and 15 screws, value 2s. 6d.; the goods of Thomas Furniss.

MR. ESPINASSE conducted the Prosecution.

THOMAS FURNISS. I am a watch-maker, and live in Crawford-street. On Monday evening, the 13th of July, I went out, and got the worse for liquor—I was not particularly intoxicated—I recollect going to the Lord Portman public-house, about eleven o'clock at night—I had a blue bag with me, containing the ear-rings and other articles stated—I left the house as near twelve o'clock as could be—I missed my bag about two hours afterwards—I remember taking it there—I have no recollection at all of having it afterwards.

Cross-examined by MR. PHILLIPS. Q. I dare say you took a little there? A. I cannot recollect whether I drank any thing in that house—I went to sleep there, and slept an hour or more—I was the worse for what I had before.

JOHN HARRADANCE. I am bar-man at that public-house; the prisoner was pot-man there. On Tuesday, the 14th, he showed me some ear-rings, and said he had found them in the tap-room, as he was sweeping it out he picked them up—he said two men had been there drunk, and one went away and left the other there asleep—he gave me one pair of ear-rings, and took the others away—he said I had no occasion to take any notice of it to my master—I took the ear-rings to my mother's the first opportunity—I took them back to the house afterwards, and I and my mother gave them to my master.

Cross-examined. Q. Upon your oath, did not the prisoner call Mary, the house-maid, before you, and give her a pair? A. Yes, he did.

MARY UPTON. I am servant at the Lord Portman public-house. On Tuesday, the 14th of July, the prisoner showed me some ear-rings, and gave me a pair—he said I was not to tell his master.

GEORGE SURETY. I live in Taunton-mews. I know the prisoner—he came to me in the street, about the 18th of July, on a Saturday—he showed me three pairs of ear-rings, and asked me to buy a pair—I chose one pair, and he said I should try them at a pawnbroker's before I bought them—I had not time to try them, and he said I should have them for 4s. 6d.

(The prisoner's master gave him a good character, and promised to employ him again.)

GUILTY. Aged 17.—Recommended to mercy.—Confined Eight Days.

2056. WILLIAM GARLICK was indicted for stealing, on the 20th of July, 1 handkerchief, value 3s. 6d., the goods of Joseph Taverner, from his person.

JOSEPH TAVERNER. On the 20th of July I was in Old-street—I felt a tug at my pocket—I turned and saw the prisoner, with my handkerchief in his possession—I collared him, and his companion knocked me down—the prisoner was caught soon after, I am quite sure he is the person.

Cross-examined by MR. PHILLIPS. Q. Were you not tripped up? A. I was struck, and tripped up afterwards.

JOHN EDGAR. I was standing at my master's shop, about twenty minutes before nine o'clock; I heard a cry of "Stop thief," and saw the prisoner run across the road—he took a handkerchief from his bosom, and threw it on a wall—I showed it to the officer, and he took it.

FREDERICK SADLER. I am a parish officer. I took the handkerchief, and produce the handkerchief.

MR. TAVERNER *re-examined*. I believe this handkerchief to be mine—there is no mark on it—I had one like it.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Six Months.

2057. HENRY FOWLER, JOSEPH TUCKER, and JAMES PARRY were indicted for stealing, on the 15th of July, 3000 yards of braid, value 4l., the goods of Thomas Wilson Robinson; and that Fowler had been before convicted of felony.

DAVID PROUT. I am in the service of Mr. Thomas Wilson Robinson, who lives in Bunhill-row, St. Luke's, he is a cotton braid manufacturer. On the 15th of July, about seven o'clock in the evening, I was standing in the shop—I received information, and looked at a rack which was just inside the door, and observed we had lost a parcel containing about 3000 yards of braid, which I had seen safe about ten minutes before—I have never seen it since.

JAMES CAIN. I am a labourer. On Wednesday evening, the 15th of July, about half-past six o'clock, I was going up Bunhill-row—I saw the three prisoners standing near Mr. Robinson's shop—I came down again in about ten minutes afterwards, and saw the three prisoners all running as fast as they could—it was then about twenty minutes before seven o'clock—Parry was running first, Fowler second, and Tucker the third, with a paper parcel under his arm—I pointed them out to the officer the next day.

Cross-examined by MR. PHILLIPS. Q. What are you? A. I work with the bricklayers—I followed the prisoners, and called "Stop thief"—I did not catch any of them—I knew them all before—I knew where Tucker lived—I went to his house that night with the officer—I was a witness once at Clerkenwell—it was about a young woman who stole half-a-crown—I was there two days and got 7s. for my expenses—I expect to be paid for attending here—I have been in the office at Worship-street to hear trials.

JOHN CARISON. I am an errand-boy, and work in Bunhill-row. On the evening of the 15th of July, I was in Lamb's-passage, Bunhill-row—I saw the three prisoners run through Lamb's-passage, between six and seven o'clock—I knew them all, and am sure they are the persons.

Cross-examined. Q. How do you remember it so well, did any body tell you it was the 15th? A. No, I know it was that day—I could see

the day of the month by the newspapers—my father has a newspaper generally every dinner-time—I do not take up the paper every day—in a quarter of an hour or twenty minutes after two policemen came up, and I told them about these prisoners—I am as sure of Parry as I am of the rest.

Fowler. Q. Did you see me? A. Yes, I saw you with a bundle in Lamb's-passage—I was standing on the other side of the way.

WILLIAM JAMES DAVIS. On Wednesday night, the 15th of July, I was standing at Mr. Ellis's door, between six and seven o'clock—I had a black apron on—the prisoner Tucker came and asked me to lend him my apron, and he would give me 2d. for it—I did so, and a little while after I saw Fowler come with a brown paper parcel tied in the apron—I ran after him and asked him to give me my apron—he offered me a shilling for it—I told him I did not want any shilling, to give me my apron—he gave it me.

Cross-examined. Q. You say Fowler had the parcel? A. Yes, I am quite sure of that—I cannot tell what was in it—I just saw the end of it—it was untied, and I saw the blackness of it—I am not in the habit of lending my apron for 2d.—I never lent it before—I have never been a witness before.

SARAH SOPHIA WOOD. I was in Chequer-square, St. Luke's, between seven and eight o'clock that night—I saw Fowler come out of the Shears public-house, with a parcel under his arm, tied in a black apron—I heard Davis go and ask him for his apron—Fowler said he would give him a shilling for it—Davis said, "No, I want my apron"—Fowler gave him the apron, and I saw he had a brown paper parcel—I saw one of the ends undone, and there was some black braid in it—Fowler said he would break my nose if I followed him—he ran across Little Coleman-street, and up Cow Heel-alley—there was a line across which pulled his cap off, and he went on without it—this is his cap—I did not see either of the other prisoners.

HENRY KIDNEY (*police-sergeant G 6.*) I took Tucker on the night of the 16th of July—Fowler was with him, and he ran away—I told Tucker I took him on a charge of felony—he said he knew nothing about it.

Parry's Defence. There are two officers here, whom I have subpœnaed, who had me in custody for a row at the time.

WILLIAM HUMBERSTONE (*City police-constable No. 123.*) On the 15th of July, I had Parry in custody for about a quarter of an hour—that was about a quarter before seven o'clock—I am quite sure of that—I took him in Moor-lane, which is a quarter of a mile from Bunhill-row—he was in custody from a quarter to seven, till seven o'clock.

JOHN STAINS (*City police-constable No. 152.*) I had Parry in my custody on the 15th of July, at twenty minutes before seven o'clock, in Moor-lane—I delivered him to Humberstone, at a quarter before seven o'clock—I went with the other officer to the station-house with him—I have to go off duty at seven o'clock, and when I got to the station-house I was discharged.

ROBERT GEE (*police-constable K 179.*) I produce a certificate of Fowler's former conviction, which I got from Mr. Clark's office—(*read*)—he is the person who was tried.

FWOLER*—GUILTY. Aged 18.—Transported for Seven Years.

PARRY*—GUILTY. Aged 20.—Transported for Seven Years.

TUCKER—GUILTY. Aged 14.—Confined Six Months.

2058. DANIEL CONNOLLY was indicted for stealing, on the 2nd of August, 1 handkerchief, value 3s., the goods of Robert Stark, from his person.

ROBERT STARK. I live at Stepney. On the 2nd of August, about half-past eight o'clock, I was in Spitalfields—I felt a tug at my pocket—I turned and saw the prisoner with my handkerchief in his hand—he threw it down and said, "There it is"—I pursued him—a person was coming—I said, "Stop thief," and that person caught him in his arms—I am sure the person who was taken is the person who had my handkerchief.

EDWARD CHIPPER. I saw the prisoner coming down the street, and I stopped him—the prosecutor was calling, "Stop thief."

HENRY CHARLES BARKER (*police-sergeant H 11.*) I received the prisoner, and have the handkerchief.

Prisoner's Defence. The prosecutor said he did not know whether it was me or another who picked his pocket, because there were four of them. (The prisoner received a good character.)

GUILTY. Aged 15.—Confined Three Months.

2059. WILLIAM SALMON was indicted for stealing, on the 6th of July, 1 hay-fork, value 2s., the goods of William Smith, his master.

WILLIAM SMITH. I live at Lambton, in the parish of Heston. The prisoner worked for me—I missed a fork on the 6th of July—I asked the prisoner about it many times—he said he knew nothing about it—I went to Heston, which is about a mile from my place, and found it in a stable, where the rest of the prisoner's things were—this is it.

ELIZA THOMAS. The prisoner lodged in my house—he brought a fork there, and asked me to look at it—he then put it behind my door—my husband and he had some words—he went away, and took the fork with him—the fork he had had three marks on the handle—the marks on this fork are very much like them, but I cannot swear to it.

REUBEN HALL (*police-constable T 181.*) I found this fork in Mr. Marshall's shop, at Heston—he said Mr. Smith had left it there—the prisoner asked me if I had had the fork in my possession—I told him no—he said, "I hope you won't let Mr. Smith have it, it is not marked, and he cannot swear to it if he don't see it."

MR. SMITH. This is my fork—I know it by these three marks on it.

NOT GUILTY.

2060. ROBERT NEVILLE and ELIZA NEVILLE were indicted for stealing, on the 20th of July, 3 pairs of boots, value 3*l.* 10s.; 1 pair of shoes, value 9s.; the goods of John Samuels.

JOHN SAMUELS. I am a boot and shoemaker—I live in Great Trinity-lane, and have a shop in Fell-street, Wood-street. On the 20th of July, when I came in, I missed two pairs of Wellington boots, one pair of lace-up boots, and a pair of tie shoes—these are them.

Cross-examined by MR. PAYNE. Q. How long were you absent? A. From twelve o'clock till about dusk.

GEORGE BALL (*police-constable H 121.*) I was on duty at a quarter-past nine o'clock that night—I met the two prisoners—the female had a bundle containing these boots and shoes—I asked what she was carrying—she made no answer—the man then laid hold of the bundle, and said, "It is my property"—I said I wished to know where it came from—he

stood a minute, and then said, "If you will go with me I will satisfy you"—I took them into custody.

Cross-examined. Q. Did he want you to let the female go home to look after the children? A. Yes, I have ascertained that she is his daughter—he wanted me to go to the end of Sun-street with him, where I should see some person who was to have the property—he said the party was to meet him—Spital-square, where I met him, is not far from Sun-street—the prisoners were going towards the City.

(The prisoners received good characters.)

ROBERT NEVILLE—GUILTY. Aged 42.—Confined Six Months.

ELIZA NEVILLE—NOT GUILTY.

2061. JOSEPH ROGERS and ELEAZOR LEVY were indicted for stealing, on the 24th of July, 5 flannel shirts, value 15s., the goods of Hyam Levy.

ANN LEVY. I am the wife of Hyam Levy, a slop-seller, in Broad-street, Ratcliffe. On the 24th of July the two prisoners came in—Rogers said, "Do you want any lemons?"—I was in my little back parlour—I came out, told him to be off, and not to come there again, as he would come once too often—he would come in, and the witness said, "Oh, he has got something off the shelf"—I said, "If you think so, go after him"—Rogers still kept before me, and I could not get out into the shop—I collared and kept him till the witness brought back these shirts—they are my husband's, and had been safe an hour before.

WILLIAM ELDEN. I was in the prosecutor's shop—I saw the two prisoners there—Rogers produced two lemons in his hand, and asked if they wanted to buy lemons—Mrs. Levy said several times that she did not want any—they had but two lemons between them—Rogers went up the shop, and stood before the prisoner Levy—I said to Mrs. Levy, "Those boys have robbed you"—she told me to follow them—Rogers obstructed me—Mrs. Levy collared him, and I followed Levy, till he threw these shirts into the road.

WILLIAM GILBERT. I saw the prisoners in the shop—they walked up to Mrs. Levy, and asked if she wanted any lemons—she said, "No"—Levy kept walking up till he got to the shelves—he *whipped* these things into his basket, which was under his left arm, and then ran up School-house-lane, and they took him.

Cross-examined by MR. BODKIN. Q. Did not Rogers say, "I shall not run away, I have done nothing?" A. Yes—he said so to Mrs. Levy—his back was turned to Levy when he took the shirts.

LEVY—GUILTY. Aged 15.—Confined Three Months.

ROGERS—NOT GUILTY.

2062. JOHN PIGGOTT was indicted for stealing, on the 1st of August, 64lbs. weight of currants, value 8s.; and 2 sieves, value 2s.; the goods of James Harman.

JOSEPH NICHOLLS. I am porter to James Harman. On the 1st of August I went into Red Lion-court, Spitalfields, and saw one of my master's sieves of currants was placed there, and a woman minding it—I saw the prisoner cross from Spitalfields market with another sieve of currants on his head—he crossed, and I gave him into custody—I said, "Have you paid for these currants?"—he said he had—we then crossed to my master in the market, and the prisoner said that his mate had paid for them

—they had stood in a pile in the market, and no one was justified in taking them before they were paid for—I did not see any other man with him.

Cross-examined by MR. PHILLIPS. Q. This was in broad day-light? A. Yes.

JOHN PERKINS (*police-constable H 71.*) I saw the prisoner with a sieve of currants on his head, the witness stopped him, and said they were his master's—the prisoner said he had paid for them—I took him to the witness's master—the prisoner then said he had given the money to his mate to pay for them.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Three Months.

2063. HENRY PAVETT was indicted for stealing, on the 25th of July, 1 thimble, value 1s. 6d.; 1 shilling, 2 pence, and 7 half-pence, the property of John Leese, from the person of Susan Leese.

SUSAN LEESE. I am the wife of John Leese. On the 25th of July, about half-past three o'clock I was standing in the East India-road, and found the prisoner's hand in my pocket, in which I had 1s., a silver thimble, and 5½d.—in drawing them out he dropped the thimble and shilling into my hand—I took hold of him, but I could not keep him for the mob which was there—I saw him again in about half an hour—I am sure he is the person.

Cross-examined by MR. PHILLIPS. Q. Do you mean you could not hold this little boy? A. No—there was a mob, of females chiefly, and they got him from me.

COURT. Q. How many persons were round? A. Twenty or thirty—they completely surrounded me—I was threatened, and in consequence of that I let him go.

ROBERT HART (*police-constable K 81.*) The prisoner was given to me by the prosecutrix.

NOT GUILTY.

2064. GEORGE BLITZO and WILLIAM JONES were indicted for stealing, on the 18th of July, 1 handkerchief, value 1s.; the goods of William Fricker, from his person.

WILLIAM FRICKER. I live in Surrey-place, Gray's-Inn-road. About six o'clock in the evening of the 18th of July I was in Covent-Garden market—the officer came and spoke to me—I put my hand into my pocket and missed my handkerchief which I had used two or three minutes before—this is it.

Cross-examined by MR. PAYNE. Q. Do you know it by any mark? A. Yes.

THOMAS BLOSSET. I am officer of Covent-Garden market. About six o'clock on the 18th of July I saw the prisoners in company attempt a gentleman's pocket—they then went to the prosecutor, and Jones took something from his pocket—I went to the prosecutor—I took Jones about an hour and a half after, but found nothing on him—I did not see what he did with the handkerchief.

RICHARD MOORE. I saw the prisoners in Covent-Garden. I saw Jones go to a gentleman's pocket and attempt to pick it, and Blitzo was covering him—I took Blitzo—I saw him put his right hand to his breast, and found this handkerchief there.

(Thomas Betts, shoemaker, North-street, Whitechapel-road ; and John Lilly, a butcher, in Mile End, New Town, gave Jones a good character.)

BLITZO—GUILTY. Aged 18.—Confined Three Months.

JONES*—GUILTY. Aged 19.—Transported for Ten Years.

2065. RICHARD TAYLOR and JOHN GREENHAM were indicted for stealing, on the 31st of July, 152lbs. weight of lead, value 7*l.* ; and 1 copper, value 10*s.* ; the goods of Ann Bartram, and fixed to a certain building.

JOHN LOGAN GROVER. I am agent to Ann Bartram—she has a house at No. 9, York-place, Pentonville. On the 1st of August I saw several holes, and I found the lead was taken off the gutters, and the copper was taken out of its place in the back kitchen, and brought into the back parlour—I have seen the lead produced fitted, and it exactly matches—I had seen the lead safe two or three days before.

JOHN HANWORTH. I live in York-street, Pentonville. On the 31st of July I was at work at York-place—the copper was firmly fixed—I had not been on the roof—I saw two persons lurking about that evening—I should not know them again.

WILLIAM HARRIS (*police-constable N 112.*) On the 31st of July, at a quarter before eight o'clock in the evening I saw the prisoners going down Battle-bridge—Taylor was carrying this lead in a sack on his back—I crossed and asked what they had got—they said nothing—Taylor dropped it and attempted to run off—I laid hold of him, and asked where he got it from—he said, “From nowhere”—I have compared the lead with the premises, and it fits exactly.

Taylor's Defence. Two men gave it to me to carry, and I said I did not know what it was. Could that roof be stripped at a quarter after eight? and who swears we stole the copper?

WILLIAM HARRIS *re-examined.* He said first he had got nothing, and then he said he did not know where he got it—at the station-house they said they saw two other sweeps, who got them to carry it.

TAYLOR*—GUILTY. Aged 18.

GREENHAM*—GUILTY. Aged 19. } Transported for Seven Years.

2066. WILLIAM RYAN was indicted for stealing, on the 9th of July, 21 handkerchiefs, value 3*l.* 4*s.*, the goods of John Joseph Sumner Mackmin.

THOMAS MACKMIN. I am in the service of my father, John Joseph Sumner Mackmin. At half-past one o'clock, on the 9th of July, I was in his shop, in Paul-street—a person came in from the door, and told me something—I had twenty-one handkerchiefs in the shop which resemble these—(*looking at them*)—I had seen them safe three minutes before—I went out, and saw the prisoner running in the street—the handkerchiefs were dropped—I did not see him drop them—these are them—they had been in our shop.

Cross-examined by MR. PAYNE. Q. How far from you was the person you saw running? A. One hundred and fifty yards—I did not take the handkerchiefs from the person who offered them to me—he followed me with them—I saw the prisoner stopped at the corner of Worship-street, about 400 yards from my father's, and about four turnings.

GEORGIANA MACKMIN. I am the prosecutor's servant. I saw the prisoner coming out of the shop with the handkerchiefs—he is the man.

Cross-examined. Q. This was on the 9th of July? A. Yes—I did not go before the Justice till the 22nd—the person was not pointed out to me before the Justice—he was standing at the bar, not mixed with others—I had only seen him for a minute, as he came out of the house.

GEORGE KEMP. I live in Providence-place, New North-street, Shore-ditch. I was passing from Luke-street to Paradise-street—I saw the prisoner running, and just as he got to the corner of Paradise-street he threw the handkerchiefs from him—they looked like these—I followed the prisoner down North-street.

Cross-examined. Q. What did you do? A. I followed him—he turned again, and passed me a second time within arm's length—I had no wish to catch him—I knew very well he was running just into a policeman's hands, and they would take him—I am a packer—I did not see him stopped, but the policeman brought him round the corner the same way as he went—I am certain he is the person.

JOHN HAYWARD (*police-constable G 209.*) I was going along Worship-street, and took the prisoner—the handkerchiefs were given to me—these are them.

GUILTY.* Aged 20.—Transported for Seven Years,

2067. JAMES ANDERSON was indicted for stealing, on the 17th of July, 9½ yards of printed cotton, value 5s., the goods of Frederick Tomkins.

RICHARD HALL. I am in the employ of Frederick Tomkins, a linen-draper, in Charles-street, Middlesex Hospital. On Friday morning, the 7th of July, about nine o'clock, a person told me something—I went outside, where this cotton had been, and it was gone from where I put it—I have not seen it since—I saw the prisoner running—I ran after him, but could not overtake him.

Cross-examined by MR. ROE. Q. Then you do not charge him with stealing it? A. No.

JAMES CRONON. I live at Maida-street, Bloomsbury. About half-past nine o'clock, on the 17th of July, I went to Charles-street—I saw this boy and another walking up and down—I saw they were after no good—I crossed over to the other side—I stood looking, and saw them walking up and down, and one of them kept going up to the prosecutor's doorway, and putting his hand under the dress—then the prisoner went and took the dress, and put it into his apron—the other cut the string that fastened it to the bell—I went and told.

Cross-examined. Q. How came you to suspect them? A. They kept whispering to one another, and then one went to the corner and the other to the door—I was about thirty yards from them—my last place was at a milliner's—they were about four yards from the shop when I saw them whisper—I determined to watch them—the prisoner ran away up Norfolk-street—the other turned towards Tottenham-court-road—the prisoner took the dress from the other one's hand, and put it in his apron—I told, and then we went after the prisoner—he ran straight on, with the dress in his apron—the other turned off about eighty yards from the shop—a young man stopped the prisoner in Well-street, but he had turned the corner before we got to him—we saw him to the corner, with the dress in his apron—he was stopped more than fifty yards from the corner—he was not in sight when we got round.

WILLIAM KNIGHT. I was looking at the prosecutor's door—I saw the prisoner take the gown-piece from the other one that took it.

Cross-examined. Q. Did you see the prisoner give it to the other? A. No, the other gave it to him before he ran away—I was in my employer's shop, not above twenty yards off—I thought they were after no good.

(James Kay, a carpenter, of Carnaby-place, Hampstead-road, gave the prisoner a good character.)

GUILTY.* Aged 17. Transported for Seven Years.—Convict Ship.

2068. **ROBERT BELCHER** was indicted for stealing, on the 11th of August, 1 coat, value 15s., the goods of John Fitzpatrick.

JOHN FITZPATRICK. I live in Houghton-street, Lincoln's Inn-fields. I was in my kitchen on the 11th of August—I saw the prisoner and another man at my shop-window—I heard the prisoner say, "There is no one in the shop"—the other said, "Now is your time"—the prisoner went in, and took the coat from my shop—I went out as soon as I could—the prisoner was stopped about thirty yards off, and the coat was thrown into my neighbour's.

WILLIAM HENRY SHACKLE. I am in the service of Mr. Alderman Cope-land, and live in Houghton-street. I saw the prisoner and another man with the coat—the moment the cry of "Stop thief" was called, the other man threw the coat behind him, to the baker's shop.

GEORGE HURST (*police-constable F 76.*) I took the prisoner, and have the coat.

GUILTY. Aged 17.—Confined Six Months.

2069. **JOHN EDWARDS** was indicted for stealing, on the 13th of August, 1 coat, value 20s., the goods of Allan Belling.

THOMAS TIBBETT. I am in the employ of Allan Belling, Esq., of Cam-den-road. On the 13th of August, about two o'clock, I brought my master to the Strand in the carriage—I stood at the horses' heads, and saw the prisoner take the coat from the inside of the carriage—I made my way round, stopped him, and brought him to the shop where my master was—the prisoner had the coat on when I took him.

THOMAS BUTLER (*police-constable D 166.*) I took the prisoner, and have the coat.

GUILTY.* Aged 16.—Transported for Seven Years.

2070. **ELIZABETH SMITH** was indicted for stealing, on the 5th of August, 28 yards of printed cotton, value 12s. 6d., the goods of Francis Gane Chappel; and that she had been before convicted of felony.

FRANCIS GANE CHAPPELL. I am a linen-draper, and live in Seymour-street, Euston-square. I lost these twenty-eight yards of printed cotton on the 5th of August—it has my mark on it.

WILLIAM TAYLOR. I am a draper, and live in Guilford-place, Wilming-ton-square. I was going to Mr. Chappell's warehouse—I saw a woman beckon the prisoner opposite—I watched them—I saw the prisoner take the print from the door, and the woman remained—I took the prisoner myself with the cotton in her possession.

THOMAS CHOWN (*police-constable G 134.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 16.—Confined Nine Months.

2071. LOUISA DALE was indicted for stealing, on the 18th of July, 16 pieces of woollen cloth, value 18s., the goods of Thomas William Parkinson; and that she had been before convicted of felony.

THOMAS WILLIAM PARKINSON. I am a tailor, and live in Short's-gardens, Drury-lane—the prisoner never worked for me. On Friday the 11th of July she came to my shop and asked for work, she mentioned a name I knew, and said she lived there—she had asked for work several times—I gave her two pairs of trowsers to make—there were perhaps sixteen pieces of cloth—she promised to come next morning for different things to finish them, but she did not—I went to where she stated, but she did not live there, and had not for twelve months—I gave her into custody ten or eleven days after.

Prisoner. Q. I worked for you a length of time, and I did not give a false direction. A. You never worked for me, that I am aware of—I offered to pay for the things if you would tell me where they were.

THOMAS DAVIS. I live in Bowl-yard. I am the person the prisoner represented herself to have lived with—I have not seen her these last eight months.

Prisoner's Defence. I went to ask for work—his wife gave me two pairs of military trowsers without any fittings, and told me to call for them in the morning; she then asked where I lived, as I had worked with her mother many months—I met some friends, and getting the worse for liquor, I lost the trowsers, and not finding them, I wrote to the prosecutor's mother-in-law, saying I would pay 2s. a-week till I had paid; in a few hours the prosecutor came to where I was working, and gave me in charge.

JOHN SUMNER (*police-constable S 257.*) I produce a certificate from Mr. Clark's office, of the prisoner's former conviction—(*read*)—the prisoner is the person.

GUILTY. Aged 34.—Transported for Seven Years.

2072. GEORGE COOK was indicted for stealing, on the 1st of August, 17 yards of carpet, value 9s., the goods of George King.

STEPHEN BRICKMAN. I live in Goswell-mews, Goswell-road. On Saturday night, the 1st of August, between ten and eleven o'clock, I was near Mr. King's shop—I heard the prisoner say, "Strike me"—the other one said, "*Go it, Dick*"—the prisoner then went across the road to the next door to the prosecutor's, and lifted the carpet over the rails—he went across the road—I went and told Mr. King—I lost sight of them.

Cross-examined by MR. PAYNE. Q. How old are you? A. Seventeen—I cannot read or write—I told the Justice about, "*Go it, Dick*," and "Strike me"—I work at Mr. Field's, a greengrocer, in Goswell-road—I had seen the other lad once before.

JEMIMA BRAMLEY. I was in Charles-street that night, and saw the prisoner drop the carpet—I am sure it was him—I picked it up, and a gentleman told me to hold it till he came.

Cross-examined. Q. Do you know Brickman? A. No—I was going on an errand for my mother, and on coming out of Mason's-place, I saw the prisoner drop the carpet—he was half way down the street—I had never seen him before—I did not see him stopped—I watched him till he went down the City-road, where he was taken.

GEORGE KING. I live in Goswell-street, and keep a carpet-warehouse.

Between ten and eleven o'clock that night, Brickman gave me information—I came out, and passed the prisoner, who was pointed out to me about twenty yards off—he was stopped—I brought him back, and gave him into custody—the carpet was brought back—it is mine.

Cross-examined. Q. Who brought it back? A. My young man—it was placed close to the door, inside, on my own premises—a person could take it without coming into the shop.

GUILTY.* Aged 18.—Transported for Seven Years.

2073. BENJAMIN BYE was indicted for embezzlement.

WILLIAM WHITE. I am a butcher, and live at Whetstone. The prisoner was in my service—if he received 1*l.* 9*s.* 9*d.* on the 11th of July, or 2*l.* 12*s.*, or 2*l.* 0*s.* 6*d.*, he has not paid me—I gave him into custody, and mentioned these sums to him—he said he had spent the money, and told me of another bill I did not know of.

Cross-examined by Mr. PHILLIPS. Q. Had he a character? A. His father gave him one—he had been with me about ten weeks.

MARY BRAKE. On the 11th of July I paid the prisoner 1*l.* 9*s.* 9*d.*, and after that 2*l.* 6*d.*

(The prisoner received a good character.)

GUILTY. Aged 27.—Confined Three Months.

2074. JOHN COOK was indicted for stealing, on the 17th of July, 1 shovel, value 3*s.*, the goods of Thomas Smith; and that he had been before convicted of felony.

THOMAS SMITH. I live in Samuel-row, West Hackney, and am a carter. On the 17th of July I stopped at a public-house on Cambridge-heath—I left my cart at the door with my shovel in it—I saw it taken out by the prisoner—I ran out, and my mate laid hold of him, when he got about twenty yards from the cart—he asked him what he was going to do—he said, “To pawn it for half a gallon of beer.”

JOHN FRENCH (*police-constable N 204.*) I took the prisoner, and have the shovel.

Prisoner's Defence. A person asked if I wanted a job—he told me to go to the cart and take the shovel, which was fixed in the side rails—the man tried to take it out, and could not—I took it, and was about to leave the cart, when the prosecutor's mate came and took me, and asked what I was going to do with it—I said, “To earn half a gallon of beer.”

WILLIAM HOWARD (*police-constable N 185.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 28.—Confined Nine Months.

2075. ANN CONLAY was indicted for stealing, on the 4th of August, 1 watch, value 30*s.*, the goods of John Cozens, from the person of Elizabeth Sleet.

ELIZABETH SLEET. I am the wife of Francis Sleet, who lives in Garden-walk, Battersea. I was at the Snow Shoes public-house, at Chelsea, on the 4th of August—the prisoner was there—she quarrelled with me, and then we fought—the prisoner made a *grab* at my bosom—I went back into the public-house, and I missed my sister's watch from my bosom.

AMELIA COZENS. I am the wife of John Cozens. This watch is mine—I gave it to my sister to mind for me—I met the prisoner the day she

took it into a public-house in Westminster, and gave her into custody—she did not conceal herself—I was told where I might find her.

SAMUEL SMITH. I am a pawnbroker, and live at Pimlico. I have the watch—it was pawned by the prisoner for 15s. in the name of Gibbon—she had been in the habit of pawning for a person of that name.

JAMES FRANKLIN (*police-constable B 68.*) I took the prisoner—she said she knew nothing about the watch.

Prisoner's Defence. I went into the Snow Shoes public-house to ask the prosecutrix for 2d. which she owed me—she struck me, and tore my cap—she being a powerful woman I did not strike her again—I went home to put another cap on—I returned, and picked up the watch and a stay-lace in the gutter—the face of the watch was dirty with the gutter water—I showed it to three or four people, and then took it to the pawnbroker's where I was known—when the woman demanded it I said I would not give it up, for I did not think it was hers.

GUILTY. Aged 17.—Confined Three Months.

Sixth Jury, before Mr. Sergeant Arabin.

2076. JOHN BUTLER was indicted for stealing, on the 10th of August, 2 pistols, value 1*l.*, the goods of Joseph Wiggins; to which he pleaded

GUILTY. Aged 40 — Confined Three Months.

2077. MARY LYON was indicted for stealing, on the 3rd of August, 4 rings, value 1*l.*; and 1 brooch, value 2*l.*; the goods of Thomas Genna, her master:—also, 2 handkerchiefs, value 5s., the goods of James Ludlam: and 3 handkerchiefs, value 1*l.*; and 24 yards of silk and cotton cloth, value 1*l.*; the goods of Jeffery Ludlam, her master; to both of which she pleaded

GUILTY. Aged 35.—Transported for Seven Years.

2078. JOHN ADAMS was indicted for stealing, on the 5th of August, in a certain barge on a certain navigable canal called the Regent's Canal, 56lbs. weight of coals, value 9d., the goods of Richard Pope and others, his masters.

GEORGE ALLEN (*police-constable S 77.*) I was on duty on the 5th of August, on the Regent's Canal-bridge at half-past twelve o'clock at night—Richard Pope and others are coal-merchants, and have barges on the canal—I saw the prisoner on one of their barges going up the basin—I was attracted by his whistling and singing up the canal—I went on the bridge, and saw him throw the coals out of the barge, some on the towing-path, and some into the plantation—he then went on the towing-path, and threw the coals from there into the plantation, where they would not be so public—as I could not get down the bank at that place, and knowing him, I went and reported the circumstance, and watched the coals till two o'clock in the morning—another officer then came and relieved me—I took the prisoner in the Hampstead-road—I told him I wanted him for some coals that I saw him throw out of a barge—he said, “I am sure I did not throw any out”—I said, “I am sure you did”—he then burst out crying—there were 56lbs. of coals—this is a navigable canal.

Cross-examined by Mr. HORRY. Q. Did you say before the Magistrate about the prisoner bursting out crying? A. Yes—I cannot recollect whether it was in my deposition when it was read to me—the prisoner was the only person I saw on the barge—I heard one person singing—I never said he threw the coals to another person—it was a very clear night—I was about fifteen yards from him—he was going towards the basin—the barge

did not stop—it was drawn by a horse—I saw the name of the barge—it was the *Charles*—I knew the prisoner was to be found by applying to Mr. Pope—I took him about nine o'clock in the morning.

JOHN JOSLIN (*police-constable S 135.*) I watched the coals—I suppose there was about half a cwt.—some boys came, and went into the shrubbery as if they knew where the coals were, and they got them at about half-past seven o'clock.

Cross-examined. Q. You took the boys into custody? A. Yes, and they were discharged.

GEORGE HEWETT. I am in the employ of Richard Pope and others. The prisoner had been in their employ, and on that day he had the care of that barge—the coals on board belonged to the firm.

Cross-examined. Q. Was the barge coming from the country to you? A. Yes—there was only one with this barge—there should have been a man at the horse's head.

GEORGE JONES. I am a lighterman. I have been in the service of Messrs. Popes for fifteen years—the prisoner was in charge of the *Charles* on that day.

Cross-examined. Q. Did neither of the witnesses ask you the name of the barge or the man? A. No.

JURY. Q. What is the length of the rope? A. About forty fathoms. (The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy.*—Confined Three Months.

2079. DENNIS GLYNN was indicted for stealing, on the 31st of July, 2 pence, and 2 halfpence, the monies of Thomas Appleyard, from the person of William Henry Appleyard; and that he had been before convicted of felony.

THOMAS APPELEYARD. I live in Dartmouth-row, Westminster—my son William Henry is between nine and ten years old. On the 31st of July he was sent out by a woman who was working in my house, but who is not here, to buy some bread—he had the money with him—I was asleep at the time.

WILLIAM HENRY APPELEYARD. I am between nine and ten years old. I was sent with a shilling for a loaf—I got the loaf, and had 3d. in change—I was going home, and saw the prisoner—he told me to open my hand—I said I would not—he then forced it open, took the 3d. out, and ran away—I know he is the boy—I did not know him before.

ROBERT SMITH (*police-constable B 97.*) On the 31st of July I heard a cry of "Stop him"—I saw the prisoner running, and he said it was not him that took it—I took him, and the little boy came up directly, and said he had robbed him of 3d.—I looked in the prisoner's hand, and found the 3d.

WILLIAM UPCHURCH (*police-constable B 25.*) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(read)—the prisoner is the person.

GUILTY.* Aged 12.—Transported for Ten Years.—Convict Ship.

2080. HENRY RISLEY was indicted for stealing, on the 6th of August, 1 spoon, value 10s, the goods of William Cater; and WILLIAM WELLINGTON, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

JOHN CATER. I am a coal and hay dealer, and live in Ray-street,

Clerkenwell—this spoon belongs to my son William—the prisoner Risley was in my employ six or seven months—on the morning of the 7th of August I missed the spoon—I charged Risley with it—he denied it—I went out for a policeman—when I came back he said he had given it to Wellington—I went to Wellington, and I found it in his pocket—he said that Risley gave it him to pawn it, having found it.

RISLEY.* GUILTY.—Aged 20.—Transported for Seven Years.

WELLINGTON—NOT GUILTY.

2081. WILLIAM COOPER was indicted for stealing, on the 11th of August, 1 handkerchief, value 4s., the goods of George Kenworthy, from his person.

GEORGE KENWORTHY. I am a cotton-spinner. I was opposite Whitehall on the 11th of August, about three o'clock, when the Queen was returning from the House of Lords—I had a handkerchief in my pocket—I did not miss it till the constable asked me if I had lost it—I turned, and saw it in the officer's hands—I knew it.

JAMES BROOK (*police-constable L 118.*) I was on duty in plain clothes—I saw the prisoner take the handkerchief from the prosecutor's pocket—I took him with it in his hand.

Prisoner's Defence. I never had it at all, the officer seized me, and the handkerchief was found two or three yards from me.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Three Months.

2082. CHARLES JONES was indicted for stealing, on the 11th of August, 1 handkerchief, value 5s., the goods of Thomas Atkinson, from his person.

THOMAS ATKINSON. I am a grocer. On the 11th of August, I was in St. James's-park—the Queen was going to the House of Lords—the policeman told me something—I missed my handkerchief, and the policeman took it out of the prisoner's pocket.

JAMES BROOK (*police-constable L 118.*) I followed the prisoner through the Treasury, and saw him take the handkerchief from the prosecutor's pocket—he put it in his left trowsers' pocket—I took it out, and took him.

Prisoner's Defence. I was passing in the crowd, and the handkerchief was on the ground; I stooped to take it up, before I got it the policeman took me and it.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Six Months.

2083. ANN PERRY was indicted for stealing, on the 18th of August, 3 yards of carpet, value 2s. 6d.; 1 towel, value 3d.; and 3 knives, value 9d.; the goods of William Spiller.

WILLIAM SPILLER. I keep the Red Lion public-house, Tottenham-court-road. Some time ago the prisoner and her husband came into my house, and had a bed for the night, and afterwards hired the room of me—they staid till last Tuesday morning, when I gave them notice to go—the man went—the prisoner called my wife to look over the things—there were some missing, and she called me—I said, "If she has got a bundle, you had better search her"—she said she had got nothing belonging to us in it—she was going out with it—the bundle was opened in my

presence, and found the knives, and piece of carpet, and towel—they are mine, and part of them had been let to her with the room—she said it was her own—this is the property.

GUILTY. Aged 52.—Confined One Month.

2084. **HENRY GOODWIN** was indicted for stealing, on the 25th of July, 2 quarts of gin, value 6s. ; 1 canister, value 4d. ; and 1 penknife and case, value 8d. ; the goods of Thomas Marshall, his master.

Mr. BODKIN conducted the Prosecution.

THOMAS MARSHALL. I keep the Parr's Head public-house, Islington, the prisoner was my pot-boy for about seven months ; I had reason to complain of his getting tipsy. On Sunday, the 26th of July, when I came home from church, I found him in a state of intoxication, which induced me to send for a policeman—he was not able to do his work, and I was obliged to get rid of him—on the following morning my niece made a communication to me, and I went up to the front attic, in which the prisoner slept with another man, named Sale—I saw the prisoner's box opened, and a canister found, which contained two quarts and a pint of gin, and a bung was in the top—I believe the canister to be mine, it is like one I missed—I also found a penknife and case, which were mine, and some tobacco—the gin resembles what I had a sample of—I had missed gin—there was a tin measure found, which I had never seen before—I do not claim that—the tobacco weighed an ounce and a half—I was present before the Magistrate the first time the prisoner was taken there—he said it was part of the remains of an ounce of tobacco that he had bought at a shop opposite the church, and he had smoked some part of it—I had tobacco of the same sort in my house.

Cross-examined by Mr. HARRY. Q. What kind of tobacco is it? A. Shag—it is quite common—I came home from church a little before one o'clock—I did not see the prisoner about eight o'clock in the morning, he was gone before I came down stairs—I never saw him till I returned from church—I breakfasted about nine o'clock—he was lying down drunk at six o'clock in the evening—I think he had had part of a pot of beer with some friends—I have no garden—my bar-maid's name is Elizabeth, I cannot tell her surname—I believe a person was at my house last night, inquiring the name of my bar-maid—I cannot tell when she was engaged, it is about three months—I cannot tell whether she has ever received any letters.

Q. Do you know where the prisoner was between one and six o'clock in the evening? A. The greater part of the time on the settle asleep—I cannot say how early in the morning he was drunk—my bar was closed, if not locked, during church time—it is locked up with shutters at night—there are two doors to it, which are opened in the day—there are sliding shutters in two grooves, they form a passage—the shutters are sixteen or eighteen inches from the ceiling—there is an entrance from the bar-parlour to the bar—I lock the outer door of the bar, and take the key up stairs—there were no marks of violence on these shutters or doors—I kept three servants, altogether, the house-maid and bar-maid—this is the canister, it was quite full when I found it—I cannot tell what strength the gin in the canister was—the strong gin we buy is 22 degrees under proof—then we sweeten it—we are not obliged to put the strength of it on the cask.

Q. Is not this gin some degrees beyond the strength you usually sell

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your gin? *A.* It is not below it—I cannot undertake to swear that it is the same strength as any gin I sold that Sunday—we have gin of different strength, according to the price—I sell British gin and hollands—we have it at 22 degrees, and the cordial gin at 17 degrees—this is the same strength as the cordial gin I sold on that Sunday—I can only go by the taste—I had a man in my house named Sale, but he is gone away—he applied to me for a bed, and I would not let him sleep there—I do not know whether it was Sunday night or not, but he was never in the house afterwards, he was not in the house when the prisoner came home drunk—it was most likely after this discovery that I told Sale he should not sleep there—he never slept in the room after Saturday night—I never saw him again till after the prisoner was in custody—I never saw him on the Sunday—I said he should not sleep there, because I thought probably there might be something wrong with Sale.

Q. Did you drink out of your stock? *A.* I should not suppose I sent out for what I drank—I have not taken account of what I and my family drank.

MR. BODKIN. *Q.* But allowing for what you took, you have missed gin? *A.* Yes—I desired Sale not to come there any more.

THOMAS WITHERS. (*police-constable N 211.*) The prisoner was given to me by the prosecutor for disorderly conduct—I saw the canister and gin found in the box, wrapped up in a cloth, at Hatton-garden—the prisoner said he had the gin made a present to him three years ago—I saw this case in his box, it contained a penknife—there was also a measure—I have seen the same sort of measures used in brickfields, to serve out gin.

SARAH MARSHALL. I am the prosecutor's wife—this knife and case are mine—(*looking at them*)—I missed them about three months ago—I made very great inquiries about it in the house, in the hearing of the prisoner—he gave me no information about it—it was kept in the bar-parlour—I believe this canister to be ours—we had such a one and missed it—I find we are short of the quantity of gin we ought to have—the doors of the bar are locked at night, but there is an opportunity for a person getting over the partition to the bar.

Cross-examined. *Q.* The prisoner had no business in the bar? *A.* No, except to put his pots on the shelf—I cannot say exactly when I saw this canister last—it was not in use—it was kept under the bar-counter, with another—it was bought with the furniture of the house when we took it—in the inventory it is put down as an old tin tea-canister—there are no particular marks on it—there are four persons in our family—I do not take a great deal of spirits—I do not take a glass or two a day—I do not know the strength of the gin.

JOHN SALE. I slept in a room with the prisoner—the prosecutor permitted me to do so out of charity—when this affair took place he would not allow me to sleep there any longer.

Cross-examined. *Q.* What was the last night you slept there? *A.* On the Saturday night—I went to sleep there on Monday evening, and he told me I should not—I had not got a situation then, but I have now—I was there a fortnight—I never got up with the prisoner in the middle of the night—I never missed him from my side.

REBECCA BOYCE. I am the prosecutor's niece. It was part of my business to make the prisoner's bed—the morning after he was taken I

went to make his bed, and smelt a strong smell of liquor—I went and told my uncle, and then saw the things found in his box.

Cross-examined. Q. That was the first time you smelt gin? A. Yes—the box was open, and no key in it—Mr. Marshall never told me I must swear to that tin canister—he has asked me whether I knew it, and I said I did know it by seeing it on the shelf under the counter—I did not recollect at first—I had always made that bed before—we have a bar-maid named Elizabeth—I do not know her surname—I was at home that Sunday morning—the prisoner was out the best part of the morning—I cannot say whether the bar was fastened all that time.

MR. BODKIN. Q. Do you know that man who has been suggesting questions to the Counsel? A. Yes; I saw him last night at my uncle's house insulting the customers.

MRS. MARSHALL. My bar-maid told me that a person had been to inquire her name, and she would not give it.

MR. BODKIN to T. WITHERS. Q. Were you present when the prisoner was before the Magistrate? A. Yes—I heard the prisoner make a statement—I do not think it was taken down in writing—I know Mr. Greenwood's signature—this I believe to be his—*(read)*—"The prisoner says a young man named John Knott, a pot-man, who lived at Paddington, and was in the habit of selling gin in the brickfields, that he laid in his gin one Saturday night, and died on Sunday afterwards; he gave me the gin and a bottle of brandy. The box had not been locked."

GUILTY. Aged 18.—Transported for Seven Years.

OLD COURT.—*Saturday, August 22nd, 1840.*

Second Jury, before Mr. Sergeant Arabin.

2085. JAMES CLARK was indicted for burglariously breaking and entering the dwelling-house of John Foot, about the hour of two in the night of the 4th of August, at St. Matthew, Bethnal-green, with intent to steal, and stealing therein, 2 spoons, value 3s.; and 45 groats; his property:—also, for a burglary in the dwelling-house of John Foot, on the 11th of August, and stealing therein 1 pair of spectacles, value 5s.; and 1 spoon, value 1s. 6d.; his goods:—also, for a burglary in the dwelling-house of John Horgan, on the 17th of August, and stealing therein 12 biscuits, value 6d.; his goods:—also, for stealing, on the 17th of August, 1 hammer, value 9d.; 1 chisel, value 6d.; 2 scutcheons, value 2d.; and 2 door-roses; the goods of John Arnott; to all of which he pleaded

GUILTY.—Transported for Ten Years.

(Property produced and sworn to.)

2086. JOSEPH WHITE was indicted for stealing, on the 13th of August, 1 handkerchief, value 3s. 6d., the goods of Simon Odwell, to which he pleaded

GUILTY. Aged 25.—Confined Three Months.

2087. MARY ANN BENNETT was indicted for stealing, on the 11th of August, 4 printed books, value 12s. 6d., the goods of John Nimrod George:—also, on the 8th of August, 3 stocks, value 7s.; and 1 shift, value 2s.; the goods of John Laker:—and, on the 1st of August, 6 yards of

ribbon, value 3s.; the goods of William Hunt: to all of which she pleaded

GUILTY. Aged 13.—Confined Ten Days.

2088. ROBERT BROWN was indicted for stealing, on the 12th of August, 2 hats, value 3s.; 6lbs. weight of nails, value 2s.; 2lbs. weight of screws, value 1s.; 1 metal cock, value 1s. 6d.; and seven tame rabbits, price 14s.; the property of James Stewart; to which he pleaded

GUILTY. Aged .—Transported for Seven Years.

2089. JOHN HIGGS and JOSEPH GILES were indicted for stealing, on the 29th of July, 2 cheeses, value 1l. 10s., the goods of the Great Western Railway Company; to which they pleaded

GUILTY—Recommended to mercy.—Confined Three Months.

2090. WILLIAM WHISTLER was indicted for stealing, on the 14th of August, 9 yards of mouselaine de laine, value 14s.; 2 yards of silk, value 5s.; 11½ yards of muslin, value 4s.; 10 yards of twilled cambric, value 7s.; 6 yards of printed cotton, value 3s.; 1½ yard of linen cloth, value 8d.; 3 handkerchiefs, value 4s.; 4 pairs of stockings, value 5s.; 3 yards of ribbon, value 3s.; 4 yards of lace, value 5s.; 5 artificial flowers, value 2s. 6d.; 4 skeins of silk, value 3d.; 3 reels of cotton, value 1d.; 24 needles, value 1d.; and 2 laces, value 1d.; the goods of John Griffith and another, his masters; to which he pleaded

GUILTY. Aged 29.—Confined Six Months.

Before Mr. Baron Gurney.

2091. DAVID MOREHOUSE PERKINS and HENRY BRETT were indicted for stealing, on the 13th of June, at St. Stephen, Coleman-street, 1 cash-box, value 5s.; 25 sovereigns, 20 half-sovereigns, 16 crowns; 30 half-crowns, 50 shillings, 60 sixpences, 1 50l., and 4 5l. Bank-notes; the property of Thomas Mason and another, in their dwelling-house.

MR. CHAMBERS conducted the Prosecution.

THOMAS MASON. I live at No. 21, Finsbury-pavement, in the parish of St. Stephen, Coleman-street, and am in partnership with Mr. Farnell, a linen-draper. On the 13th of June I had a cash-box in a closet in my bed-room, up two pair of stairs—in consequence of something I heard from Sarah Collingridge, I went up into that room about nine o'clock that night, and found the door of the cupboard broken open, a piece of iron which had been used for that purpose lying on the floor, and the cash-box gone—it contained about 116l.—there was a 50l. note, four 5l. notes, about 40l. in sovereigns and the remainder in silver, 6l. or 7l.—on going down stairs I found two people named Stone and Munting there—the prisoner Brett had been in our service, as porter, about two months, and left about ten days before—I had never seen him at my house between the time of his leaving and the 13th of June—this was the cash of myself and partner.

Cross-examined by Mr. PHILLIPS. Q. I suppose Brett might have been there without your seeing him during the ten days? A. Certainly—I had a character with him, but I have reason to suppose it was from parties not competent to give me one.

COURT. Q. Who had you received the character from? A. From the Superintendent of the East India warehouse—I do not know his name.

SARAH COLLINGRIDGE. I am in the service of the prosecutors. I re-

collect seeing Brett at their house on the 13th of June—he had been there twice between the day he left and the 13th of June—I believe both times he came was for a piece of music—he came on the 13th of June, just before eight o'clock in the evening—he asked John our porter to go out and drink with him—he refused, and he said immediately he would go out and bring something in—I saw him go out and bring some porter into the kitchen—when he came in the porter was called out to go on an errand—he drank before he went out, and we all drank round—we then all went about our different work, and Brett went up and down stairs, and stood about the hall, and from one staircase to another—about a quarter to nine o'clock I said, “Oh, John won't be at home, and I must take up the tray”—I prepared it—Brett said, “You are not going to carry up all that, let them wait”—I said, “The time is nine o'clock, I must take it up”—he said, “Let me carry a few,” and he took an armful of plates, set them down on the first floor by the door, said, “Good night,” and went away—there is a place in the wainscot, on the staircase, through which you can look into the shop—I did not see Brett do any thing that night but standing about—soon after Brett left Mr. Munting came over and asked me something—I gave him an answer, and directly after the robbery was discovered I found a pair of shoes behind the street door, the back-door where they come in at—one of the policemen took them away.

Cross-examined by Mr. PHILLIPS. Q. Was there a charwoman in the house that night? A. Yes, her name is Birt—she let Brett out—she was opening the street door to another person, who brought some clothes, but did not come in, and he went out at that time.

MR. CHAMBERS. Q. Where was the charwoman when Brett was there? A. Sitting in the kitchen—Brett was not in the kitchen above five minutes—he never sat down, but walked up and down the stairs—the charwoman once helped me with the plates, that is the only time she left the kitchen—she had done her work, and was sitting in the kitchen, and she answered the door—Brett was there altogether from a little before eight o'clock till just before nine—the back-door is in Little Moorfields, the front door on the Pavement—they are both used, but the back-door more particularly for the servants.

COURT. Q. You say Mr. Munting came and asked you a question, was Brett gone then or not? A. Yes.

ELIZABETH SARAH MUNTING. I live at No. 18, Little Moorfields. On the 13th of June I was standing at my father's door, about ten minutes before nine o'clock in the evening—our door is directly opposite the back of Mr. Mason's house—I saw the prisoner Perkins come out of the prosecutor's house without his shoes, with a parcel in a red handkerchief—on seeing him come out I mentioned it to my mother and father—my father followed him—I saw Brett come out about two minutes after I saw Perkins—I knew Brett by being his porter to the prosecutor—I had never seen Perkins before.

Cross-examined by Mr. PHILLIPS. Q. Brett had nothing with him, had he? A. He had a parcel in a blue cotton pocket-handkerchief—I do not know what it was—it was rather dusk, about ten minutes to nine o'clock, between the lights—it was quite light enough to distinguish any body—our door is directly opposite Mr. Mason's—the street is not very narrow—Brett had not to pass by me—he was on the other side of the way—he went towards Short-street, in the same direction as Perkins—Perkins could not have been out of sight before I saw Brett, but I did not look after

him—I had been in the habit of seeing Brett go to the house when he was the prosecutor's porter.

ELIZABETH MUNTING. I was standing at my door with my daughter on the night of the 13th of June, and in consequence of what she said I looked towards Mr. Mason's house, and saw a man come out without any shoes on—he had a parcel in his right hand, tied in a handkerchief—he walked deliberately across the road from Mr. Mason's—I spoke to my husband and Mr. Stone, and they went after him immediately.

Cross-examined by MR. PHILLIPS. Q. Did you see the other man come out? A. I did not—I was not at my door above five or ten minutes—I did not notice the time—I should think it was more than five minutes.

MR. MASON *re-examined.* I have a back-door looking into Little Moorfields—that door is not more than four yards from the bottom of the staircase, which goes up to the first and second floors—there is but one room on a floor—the cash-box was in a cupboard in the room—there is no other staircase to that house—it is a double house—this is the back-house.

JOHN MUNTING. I was standing at my door on the evening of the 13th of June—upon my daughter saying something I looked in the direction, but did not see any man then—I ran with Mr. Stone towards Short-street—Mr. Stone overtook a man—I came up to him—it was the prisoner Perkins—he had no shoes on—he knew me, and said, “I am surprised at you, Mr. Hammond, stopping me, here is Mr. Munting knows me very well”—he knew Mr. Stone by the name of Hammond—I knew Perkins somewhere about the City, but I do not know where—his face was familiar to me—Mr. Stone said, “What is this you have got here?”—he said, “Nothing but what is my own; I am surprised at your stopping me”—I said, “If you have got nothing but what is your own, you have no objection to come back with us?”—he said, “None at all,” turned round, and was agreeable to walk back—he walked part of the way back with Mr. Stone—I said, “Don't let him go, I will go and inquire whether they have lost any thing or not”—I went back, knocked and rang—the maid servant answered—I asked whether they had lost any thing or not—she said they had lost nothing, she was sure nobody had been in there—I returned to Perkins and Mr. Stone, and Perkins was allowed to go away, as I told Mr. Stone, in his hearing, that the servant had said they had lost nothing—he had a handkerchief in his hand, and a sort of a square box, like a cash-box, tied up in it—I did not see the box—it was a sort of red dusty dirty handkerchief.

Cross-examined by MR. CLARKSON. Q. Whatever it was, was tied up in it? A. Yes.

Cross-examined by MR. PHILLIPS. Q. You went up towards Short-street? A. Yes—it is about fifteen or sixteen yards from my house—I did not turn up Short-street at all—I ran as far as Short-street—Mr. Stone said I was going wrong, and I turned—it was in New Union-street that we overtook him—that is about 100 yards from my door—we passed by several people in going—nothing attracted our attention—when I got to my door Perkins was out of sight—I did not see him till Mr. Stone showed him to me—I did not know Brett—I did not pass him to my knowledge.

WILLIAM STONE. I was at Mr. Munting's door, and hearing Mrs. Munting say something, I looked and saw a man about Short-street—I followed with Mr. Munting, and at Short-street I said to Munting, “You

have lost scent"—I followed the man up Union-street, and stopped him—it was Perkins—I said, "Halloo, old boy, what have you got there?"—he had no shoes on—he said he had nothing but what belonged to him—Munting came up and made use of something of the same words—he made the same answer to him—I said to Munting, "John, I know it is wrong, what business has he with this cash-box?"—I call it a cash-box, as I saw the handle through the handkerchief—it was not tied close, and I put my hand to it—he said, "I am surprised at you, Hammond, stopping me in the street, knowing me as well as you do," and he said the same to Munting—I had never seen him before to my knowledge—I lived with a half-brother named Hammond twelve or fourteen years, and I have always been called Hammond.

JOSEPH SHACKELL. I am an inspector of the D division of police. In consequence of information I apprehended Perkins on Saturday night, the 18th of July—I had been looking after him ever since the robbery—I told him he must go with me—he wanted to know what for—I told him I would tell him as soon as we got to the station-house—when I got him there I charged him with stealing a cash-box containing a 50*l.* note, four 5*l.* notes, 30*l.* in gold, and a quantity of silver—he said he knew nothing about it—I then requested him to give me his name—he refused to do so—I told him I knew his name, and he might as well give it me—he gave me "David Moorhouse"—I told him his name was David Perkins—he had shoes on—I had them taken off, and have them here—(*producing them*)—on the left foot there is a projection—he has a large bunion on that foot—I was present when another pair of shoes was tried on him by Hodgson—they appeared to fit, and were exactly the same shape, and nailed in the same way.

CHARLES GEORGE HODGSON. I am a policeman. I received these shoes from Todhunter—(*producing them*.)

JOSEPH TODHUNTER. I am a policeman. I received these shoes from Mr. Mason's house.

SARAH COLLINGRIDGE *re-examined*. These are the shoes that were left at the house.

JOSEPH SHACKELL *cross-examined by* MR. CLARKSON. Q. According to your notion, these shoes are the same make? A. They are not the same pattern—I believe they are made off the same last, but they are not cut in the same way—they are nailed the same way, which is extraordinary—I sent for a person named Hyde, the shoemaker, whom I supposed had made them, after he was in custody—he did not come—another man came—he was ordered up before the Magistrate and attended, but his evidence was not taken—I did not tell the Magistrate that he was there—I ordered him to attend.

COURT to MR. MASON. Q. You mention that there is but one room on a floor? A. I meant that the rooms all look out one way—there are two rooms—my room, and a small room on the second-floor—the supper-tray was brought up to the first-floor—that room is under both the two rooms—the same staircase leads to both floors.

SARAH COLLINGRIDGE *re-examined*. Brett took up the plates and placed them outside the door of the first-floor room—he did not go in.

MR. PHILLIPS. Q. When he was in the service, was not he in the habit of assisting you in carrying up things? A. It was always his place to take up dinner and supper.

JOSEPH TODHUNTER *re-examined*. I saw the bed-room after the cash-box was taken, and found this iron, which is called a *jemmy*—I compared it with the marks on the cupboard—it appeared to be the instrument used.

HANNAH MARTIN. I have known Brett fifteen months—I recollect his being taken into custody charged with this robbery the first time—I was then living at No. 40, Westmoreland-place, not in the same house with him, but their garden and ours joined—three or four days after he was discharged, he asked me to redeem a handkerchief, and gave me half-a-sovereign to do so—he had very little money before the 13th of June—his mother told me so, and he has said he had no money—he said so only a few days before the 13th of June—it was after he had left Mr. Mason's service—after he gave me the half-sovereign to redeem the handkerchief I saw him with eighteen sovereigns in his father's garden—I was there with him—I was very much surprised, and said, I was surprised to see him with so much money—he showed it to me in the summer-house—there was nobody but him and me there—I said, I was afraid he knew something of the cash-box—(I had heard he had been taken up about a cash-box)—I believe he said, "Yes"—I do not exactly know the answer he made me, I cannot recollect—I said, "You have done it"—he said, no, he did not—I said, "Then Smith has done it"—he said, "No, he did not, but the man that was stopped coming out," alluding to the man that was taken—he said the man who had done it was the man who was stopped—I do not know that I made any particular reply to that—I might have said something—we left the garden, and in going out of the garden-gate he pointed under a pear tree, and said, "That is where the money was buried when I was taken up"—shortly after that I was in the prisoner's father's house—a coat was being mended—I mended the pocket of it—I put my hand into the pocket, and took out a bill-head of "Farnell and Mason"—the prisoner took it out of my hand and read it, and said, Farnell and Mason were d—good fellows, he had 50*l*. of their money—I never had any particular quarrel with Brett.

Cross-examined by MR. PHILLIPS. Q. You were examined before the Magistrate, Miss Hallett? A. Yes, I answer to the name of Hallett, Martin is my right name—the young man I was going to be married to took the apartments where I live, in the name of Hallett, and I have gone by that name, as every body in the neighbourhood knows me by that name—I have one child living—I have not lost any—I am not married—I never lived with Brett—I am twenty-six years of age—I kept company with Brett—I believe I was to be married to him—I do not know that my acquaintance with him has been a virtuous one, I know that it has not—I had heard him speak of going abroad a long time—I was not very angry at it—I knew he was not going abroad a long time ago, I knew he was not going—I felt uncomfortable, because I knew he had told me so many falsehoods about it—that is months ago, when I first became acquainted with him—I do not know that he threatened to leave me behind—he did not say he would take me with him—I do not know that he wanted to have done with me, I never thought so—I never asked if he intended to take me with him—nobody was present in the summer-house, nor in the garden—when he was first apprehended, I thought he was perfectly innocent—I think he was taken up again about three weeks after, or not so long, I really cannot say—I did not see him every day during the three weeks, I did occasionally—he was not always living

at home—he would be out for two or three nights together, then come home and go away again.

MR. CHAMBERS. *Q.* How long after this happened about the coat did you see Hodgson, the inspector? *A.* About a week or ten days—I had made a statement to my brother and sister-in the mean time.

CHARLES GEORGE HODGSON *re-examined.* Brett was first taken up on the 18th of June, discharged on the 27th, and apprehended again on the 30th of July.

RICHARD STAFFORD ROLFE. I am in the employ of Mr. Paddon, a clothes salesman, in the New Cut. I have known Brett many years—we went to school together—I saw him in the New Cut on the 1st or 2nd of July—I am almost certain it was the 2nd—(I had seen him about six months previous)—in the course of conversation he told me he had been to Newfoundland, and his employer there had such confidence in him he had given him 40*l.* or 50*l.* to buy articles for the season that was coming on—he told me his employer was some nobleman—he did not tell me when he had been to Newfoundland—he said he had returned from there the night previous—I saw a quantity of money in his possession, I cannot say how much—I saw the glittering of the sovereigns—we were in a public-house—he pulled out a quantity of money from his pocket, and I saw them loose in his hands—it was gold and silver intermixed—he told me he was a gardener over at Newfoundland, and I knew he was no gardener, knowing him so many years—I directly told my employer of it—on a rough calculation, I should suppose there was from eight to ten sovereigns, or more—there was a whole handfull, in fact, more than his hand could hold, he was obliged to put it up by the side of his body—he told me he had spent five sovereigns with a girl down at Wapping, and he had ordered a suit of clothes from Mr. Groves, and that he had bought some fire-arms to shoot bears with at Newfoundland, for his employer.

Cross-examined by MR. PHILLIPS. *Q.* Were you before the Magistrate? *A.* No.

JOSEPH BORN. I am salesman to Mr. Groves, of Lower Marsh, Lambeth. On the 2nd of July I saw Brett at my master's shop—he ordered a suit of pilot clothes for sea, and gave me two sovereigns as a deposit—I went with him to a public-house, and had two shillings' worth of brandy and water, which he paid for—I saw 2*l.* or 3*l.* in his hands, in gold, silver, and copper—in the course of conversation he said he had been to Newfoundland, bear-shooting—he did not say when he had returned.

Cross-examined by MR. PHILLIPS. *Q.* Were you before the Magistrate? *A.* No.

ANN HARDY. I know the prisoner Perkins—I lodged in the same house with him for the last two years—before the 13th of June I saw a man come to visit him three or four times—I went to Newgate, and saw a man dressed in sailor's clothes, and picked that man out as the man who came to Perkins—he was dressed in a blue coat and white apron—the prisoner Brett is the man—he was among the other prisoners when I pointed him out—I believe he is the man who came to visit Perkins.

Cross-examined by MR. PHILLIPS. *Q.* I suppose you are not quite positive? *A.* Yes, I am, quite—I have stated that I was not quite certain—that was when I was at Newgate—I told somebody there, who opened

the door—he said, “You should not say you believe, you should say you are sure.”

COURT. Q. Who was that? A. An elderly gentleman, that opened the Old Bailey yard-door—I am quite sure Brett is the man—I am not saying so because any body has told me so—when I saw him in Newgate he was in a different dress to what I had been accustomed to see him in—he was in sailor’s clothes, and he looked shorter to me then than when I noticed him go out of our place—on looking at his face, I say he is the man I saw come out of our house—I have seen him come three or four times—one time I opened our street door to him, and then he went into Perkins’s room.

MR. PHILLIPS. Q. You were not before the Magistrate? A. No.

JOHN HARDY. I went to Newgate to pick out the man who came to visit Perkins—my wife recognised him first, and said something to me—I knew him to be the man—I had seen him come two or three times to Perkins’s—I am sure Brett is the man—I am positive of it.

Cross-examined by MR. PHILLIPS. Q. Are you the elderly gentleman who told her not to say she believed, but to be certain? A. No—I am her husband—the elderly gentleman asked her, “Can you swear to any one there? do you know any one of the prisoners?”—she said, “Yes, I do, the young man in the sailor’s clothes”—he said, “Can you swear to him?”—she hesitated, and said, no, she could not, she thought he was the man—he said, “You must not think here”—that is all he said.

JURY to HANNAH MARTIN. Q. What became of the heading of the bill? A. He tore it up to light his pipe, which he was going to smoke.

(— Francis, a cabinet-maker, Trafalgar-street, Walworth; Richard Baker, leather factor, Old Kent-road; William Turton, confectioner, Lambeth-walk; and — Hurst, brass-finisher, Bridport-place, Hoxton; gave the prisoner Brett a good character.)

PERKINS—GUILTY. Aged 38.	} Transported for Fifteen Years.
BRETT—GUILTY. Aged 21.	

2092. WILLIAM BUTLER was indicted for feloniously forging, on the 22nd of June, an order for the payment of 15*l.*, with intent to defraud Timothy Thorne and others.—2nd COUNT, for uttering the same, with a like intent.

MR. BODKIN conducted the Prosecution.

WILLIAM PARKER. I am clerk to Messrs. James Thorne and others, brewers, at Westminster. On the 22nd of June a letter was brought to the counting-house—I believe the prisoner to be the youth who brought it—this is it—(read)—“22nd June, 1840. Mr. Summerland’s compliments to Messrs. Thorne, and will feel much obliged if they will cash the inclosed for him, being in immediate want of the money, and not having time to send into the City, being a case of emergency, or he would not trouble them.”—The cheque was for 15*l.*, on Williams, Deacon, and Company, signed, “G. Redman”—I asked him if he presented that note from Mr. Summerland—he said, “Yes,” and I paid him the 15*l.*—Mr. Benjamin Thorne was in an adjoining office.

COURT. Q. How soon after did you see the prisoner again? A. He was at Worship-street about a fortnight after—I then recognised him, and I believe him to be the boy.

BENJAMIN THORNE. I am clerk to Messrs. Thorne, brewers. On the 22nd of June I recollect a boy producing a letter at the counting-house,

containing a cheque for 15*l.*, from Mr. Summerland—the prisoner is very similar, very much like the lad who brought the cheque, but I cannot say that he is—I think he is the lad.

WILLIAM RANDALL SUMMERLAND. I keep the Tap, in Horseferry-road, Westminster, and am a customer of Messrs. Thorne. This letter is not in my handwriting, nor written by my authority—I know nothing about it—I never had any thing to do with the cheque—I do not know the prisoner—I never sent him with the letter.

CHARLES ROBINSON. I am clerk to Messrs. Deacon and Co., Bankers—(*looking at the cheque*)—we had no account with any Mr. Redman in July last at all.

Witnesses for the Defence.

JANE HARRIS. I am the daughter of Samuel Harris, of 21, Collingwood-street, Bethnal-green. He is a watch-maker—the prisoner was my father's apprentice—I remember Monday, June 22nd, because I went out to a party that evening about eight o'clock—the prisoner lived at my father's—he was at home on the 22nd of June—I saw him at different times in the day—the last time I saw him he was at work in the shop—that was about six o'clock in the evening—I had seen him in the morning as early as seven o'clock—he dined with us, but not at the same table—he breakfasts in the shop—I made the breakfast—he carried it himself into the shop—he breakfasted about eight o'clock, and dined between one and two—we drank tea about six, I should think—I was in and out of the shop once or twice in the morning—he could not have gone out of the house without my missing him, and he did not go out.

MR. BODKIN. Q. He was generally at home, I suppose? A. Yes.

WILLIAM PARKER *re-examined*. It was from half-past two to four o'clock that he brought the cheque.

JANE HARRIS. Q. Where was he from half-past two to four o'clock? A. In the shop at work—I have not a doubt of it.

SAMUEL HARRIS. I am a watch-maker, and live in Collingwood-street, Bethnal-green. The prisoner was my apprentice—Thomas Pinder is in my employ. On the 22nd of June I was at home—I have a particular reason for recollecting that day, because I sent some work home to two houses, but I cannot recollect by whom—it went to Mr. Hammond and to Mr. Lazarus—the prisoner was at home at work with me, but I cannot recollect whether I sent him out that day or not—we usually dine at about one o'clock or a quarter after—I do not positively recollect whether he was at home to dinner, but I should rather think he was—I am sure he was with me after dinner—he was at home from three o'clock till eight.

MR. BODKIN. Q. What time was the work sent home? A. I do not know, nor by whom it was sent—I do not know whether he went with it—I am sure he was at home from three to eight o'clock—the work was not sent home between three and eight o'clock—I know that gentleman (*looking at Mr. Heritage*)—I have spoken to him about this matter.

Q. On your oath did not you state at the time that you could account for the boy's time in Smith and Vicker's case, but not in any other? A. I do not know what those cases are—I told him on 22nd June that I could not recollect who I sent home with the work.

MR. CLARKSON. Q. Was not the communication you made to Mr. Heritage under a belief that he was to be the attorney who was to be employed to defend the prisoner? A. It was.

JURY. Q. Where does Hammond live? A. In Northampton-square, Goswell-street—Lazarus lives at Bevis Marks.

THOMAS PINDER. I am in the employ of Mr. Harriss, a watch-maker, in Collingwood-street. I remember Monday, the 22nd of June—I know the prisoner—I cannot tell where he was from three to eight o'clock in the afternoon of that day—I have no distinct recollection of where he was—I rather think he was at home, but I do not recollect.

SAMUEL HARRIS *re-examined.* Q. Look at that cheque and that letter, do you know the handwriting of either? A. No, I do not; the prisoner can neither read nor write—we endeavoured to instruct him in our shop to read and write; he said he could not learn two things at once, and chose his trade in preference—he is eighteen years old next February—he was a very honest, steady lad—he lived with me two years as errand boy, and three years as apprentice.

NOT GUILTY.

2093. **WILLIAM BUTLER** was *again* indicted for forging, on the 8th of July, an order for the payment of 15*l.*, with intent to defraud Sir Thomas Fowell Buxton, Bart. and others.—2nd COUNT, for uttering the same, with a like intent, knowing it to be forged.

WILLIAM ADAMS. I am clerk to Trueman, Hanbury, and Co., brewers—the firm is Sir Thomas Fowell Buxton, Bart., and other partners—Jane Rouse, who keeps the Crown public-house, is one of our customers. On the 8th of July, the prisoner came to their counting-house near two o'clock in the day, and brought this letter—it contained this cheque.

(*Letter read.*) “Mrs. Rouse’s compliments to Messrs. Trueman, Hanbury, and Co., and will feel greatly obliged if they will cash the enclosed cheque for her in any possible way, being in immediate want of it, and not having sufficient time to send to the banker’s for the same, or else she would not trouble them. Old Crown, 8th July, 1840.”—The cheque was for 15*l.*, on Spooner, Attwood, and Co., signed “W. H. Payne.”

Q. Is Rouse, your customer, married or single? A. Single—that excited some suspicion in my mind—I asked him who he brought it from—he said from the Crown public-house at the corner of Hare-street—I told him to sit down, and I went into another room and consulted with the managing clerk—after that we had him in, and asked him again where he brought it from—he said from the Crown, Brick-lane—he was asked who gave it him—he said a man in the house behind the bar—Mr. Johnson, who was present, told him he had been telling stories—he then said he would tell the truth, and said a person in the street gave it to him—I left the room—a policeman was sent for, and he was given in charge—I left Johnson and another person in the room with him.

Cross-examined by MR. CLARKSON. Q. How long did he remain at your house after he brought the note? A. It might be half an hour; I cannot say—the policeman came in his uniform—one policeman afterwards went out and changed his clothes—the Crown is about three minutes’ walk from our place.

ALEXANDER JOHNSON. I keep the Brewery tap, near Trueman’s brew-house. I was in the counting-house at Trueman’s when the prisoner came—I went into a private room with Mr. Adams—a letter and cheque was produced—as soon as the prisoner was in the room I asked him where he got those documents—he said he got them at the Old Crown, at

the corner of Hare-street—I asked if it was a man or woman gave them to him—he said, “A young man”—I asked if the young man was behind the counter or not—he said, “Behind the counter, serving”—I said, “All you have said is false, my boy”—he said, “Then I will tell you the truth; as I was coming down Brick-lane, a gentleman asked me to take this letter to the brewery, and he would wait for me under the archway, and give me some pence for my trouble”—I asked why he made two statements—he said, “I have got into a scrape, and must get out of it the best way I can”—he was then given in charge—he said his mistress had sent him down Brick-lane to get some dogs’ meat—Collingwood-street is about a quarter of a mile from the brewhouse—dogs’ meat can be got at many places nearer to his master’s than that.

Cross-examined. Q. Where is the nearest place to Collingwood-street where it can be bought? A. In Cock-lane, which is not above 100 yards from there—I do not know the person’s name who sells it—I cannot swear it is not 400 yards.

JOHN REANEY. I am a policeman. On the 8th of July I was sent for to the brewhouse, and took charge of the prisoner for tendering a forged cheque for 15*l.*—I asked him where he got it—he said he was met by a man at the corner of Hare-street, who sent him with it—I asked where he was to meet him—he said, “Under the archway”—I changed my coat and hat, and went with him under the archway—several persons were standing about, but he pointed out nobody—I asked him if there was no place where he was to meet him—he said, “Yes, at the Old Crown”—I took him in there, but he pointed out nobody there—I asked if he had ever seen the person before—he said, “Yes, once behind the bar at the Old Crown”—I had quite changed my uniform except my trowsers.

Cross-examined by MR. CLARKSON. Q. Are you in the habit of attending Worship-street Office? A. Yes—I have seen the attorney for the prosecution there—it was before I changed my coat that I questioned the prisoner—I was not in the brewhouse more than five minutes before I changed it—I went as far as Whitechapel-road to change it—that is about five minutes’ walk from the brewhouse—he was in the clerk’s office while I went.

MR. BODKIN. Q. Do you know Mr. Heritage, as clerk to Mr. Yardley? A. No, I do not know that he is the son of the Magistrate’s clerk at Worship-street—I have seen him there.

JANE ROUSE. I am single, and keep the Crown public-house, at the corner of Hare-street. I am a customer of Hanbury’s—this letter is not my writing—I know nothing about it—I never saw it till at Worship-street, nor ever saw the prisoner till I saw him there—I was at home the day this happened—I did not see him there—I had no man serving behind my bar.

ALFRED HINES CLARK. I am clerk to Spooner and Attwood. Nobody named W. H. Payne keeps an account at our house.

(Abraham Carver, a publican; Henry Lazarus; James Pakell, silk-weaver, No. 43, Wilmot-street, Bethnal-green; Joseph R———, silk-weaver, Baker-street, Bethnal-green; Jephtha Veal, silk-weaver, James-street, Bethnal-green; and Thomas Hubbard, watchmaker, Collingwood-street; gave the prisoner a good character.

GUILTY of Uttering.

2094. WILLIAM BUTLER was again indicted for feloniously forg-

ing, on the 1st of July, an order for the payment of 30*l.*, with intent to defraud Stephen Child and others.—2nd Count, for uttering the same with a like intent, knowing it to be forged.

EDMUND JAMES ROBERT ROUSE. I am cashier to Stephen Child and three others, distillers, in the Borough-market, by St. Saviour's church. On the 1st of July this letter and cheque were brought to the house by the prisoner about twelve o'clock in the day—(the cheque being read, was dated June 30th, 1840, drawn by G. Redman on Pocklington and Lacy, West Smithfield, for 30*l.*—letter read—"July 1, 1840, Yorkshire Grey, Park-street. Mr. Tate's compliments to Child and Dickers, and would feel greatly obliged if they could cash the enclosed cheque for him, being in immediate want of it, and not having sufficient time to send to the bankers for the same, or else he would not have troubled them")—Mr. Tate is a customer of our house—I asked the prisoner from whom he brought it—he said, "From the Yorkshire Grey"—I then, as my custom is, took it into a private office to one of the partners, who opened it—it contained the cheque—I was desired to give the money—I was in the act of putting it into an envelope to deliver to the prisoner, when one of the partners opened the door, and asked if I knew the boy—I believe the prisoner could not hear that—I then told him to go home, and I would send the money round by one of our clerks—he went away—I have not the slightest doubt of his being the person.

Cross-examined by Mr. CLARKSON. Q. What time in the day was this? A. Half-past twelve o'clock, as near as possible.

JAMES TATE. I keep the Yorkshire Grey. This letter is not my writing—I did not send any body with that letter or cheque—I never saw it till I saw it at the office—I know nothing of the prisoner.

BENJAMIN WALTER LACY. I am a partner in the house of Pocklington and Lacy, bankers. We have no customer answering the description in this cheque—I never saw the handwriting before.

JOHN REANEY. I took the prisoner into custody.

Cross-examined. Q. Did you find a watch escapement on him? A. I found a watch-plate and 1½*d.*

(Witnesses for the Defence.)

SAMUEL HARRIS. The prisoner is my apprentice—I live in Collingwood-street, Bethnal-green—I remember the day the Eastern Counties Railway opened—it was on Wednesday, the 1st of July—Pinder, one of my servants, went to the opening of the railway—I have two apprentices—neither of them went out that day—Edward Keemer is one of them—I entertained an idea of taking them, but I did not—the prisoner did not leave home that day till eight o'clock in the evening—he was at work at the same bench as me, except at meal times, from six o'clock in the morning till eight o'clock at night.

EDWARD KEEMER. I have been apprenticed to Mr. Harris three years and two or three months—I remember the opening of the Eastern Counties' Railway—I was at my master's house that day—I did not go out at all that day—the prisoner was working in the same place as me, and did not go out at all that day.

THOMAS PINDER. I was in the service of Mr. Harris—I remember the day the Eastern Counties' Railway opened—it was the 1st of July—I went to see the opening—I started from home about a quarter to one o'clock—I live in the house—I breakfasted there—I was in the house

from breakfast time till I went to see the railway opened—I did not notice the prisoner until a quarter to one o'clock, when I saw him in the shop—he had not been out before then—I came back about two o'clock—I do not recollect seeing him when I came back—all I can say is, I saw him at a quarter to one o'clock.

DANIEL KEEMER. I am in Mr. Harris's service. I was working there the day the Eastern Counties' Railway opened, the 1st of July—the prisoner was there—I have no particular recollection about the morning—I dined at home—he dined with us between one and half-past one o'clock—I had been at work in the shop—if he had been absent for an hour or two I think I should have noticed it. **NOT GUILTY.**

2095. **WILLIAM BUTLER** was *again* indicted for feloniously forging, on the 2nd of July, an order for the payment of 21*l.*, with intent to defraud James Scott Smith, and another.—2nd COUNT, for uttering the same with a like intent, well knowing it to be forged.

WILLIAM HENRY FOREMAN. I am cashier to Scott Smith, and Co., distillers, in Whitechapel. On the 2nd of July this letter and cheque were brought to our house between two and half-past two in the afternoon—our house is near Mile End-gate—I do not know Collingwood-street—the prisoner is the person who presented it—I have not any doubt about it—(*The cheque was for 21*l.*, dated 1st July, drawn by P. W. Clark, on Messrs. Spooner and Co.; the letter was dated 2nd July, to the same effect as the former ones, and purporting to come from Mr. Edwards, of the East London Tavern.*)—I asked him if he required an answer—he said, “Yes”—I asked if he knew how much money he had to take back—he said no—I gave him two 10*l.* notes and one sovereign, and requested him to give it to Mr. Edwards, who is a customer of ours, and keeps a public-house in Whitechapel-road.

THOMAS WINTERTON. I am a clerk in the house of James Scott Smith and another. I was present when the letter and cheque were brought, on the 2nd of July—I saw two notes and a sovereign given for it—the prisoner is the person, I am certain—I have not the slightest doubt of it.

Cross-examined by Mr. CLARKSON. Q. Were you in town all July? A. Yes, in the service of the same gentlemen—I did not go to Worship-street.

JAMES EDWARDS. I keep a public-house in Whitechapel-road. I know nothing of this letter and cheque—I do not know the prisoner—I never sent him to Scott Smith's—the letter is not my writing, nor was it written by my authority—I know nothing whatever of it.

ALFRED HINES CLARK. I am clerk to Spooner and Attwood—we have no such customer as this cheque is signed by.

Witnesses for the Defence.

SAMUEL HARRIS. I remember Thursday the 2nd of July—I was engaged that day in making a watch-escapement—the prisoner was helping me with that work, which was not usual—we began work a little after six or seven o'clock in the morning, and he continued to help me at it till six o'clock in the evening—I had to finish it myself the last hour, from six to seven o'clock—he never left the workshop that day, except for his meals, and he had his breakfast, dinner, and tea in the warehouse—I recollect that day very well, because I was disappointed in my dinner—I thought to have liver and bacon, but my wife could not get any liver, and conse-

quently we had bacon, which was so salt that I did not like it, and when the prisoner brought his plate down, I said to him, "Don't it ask you to drink?"—he said, "Yes, it has almost taken the skin off my mouth"—it was the day before the Eastern Counties' Railway opened.

JURY. Q. How could your apprentice and yourself both work at a watch-escapement? **A.** The boy polished the wheel and made the staff, rollers, pivot, and some other parts, while I did the rest—he never left the house at dinner-time—after dinner he went into the yard and amused himself, having a little time to spare, before he began work again—perhaps a quarter of an hour—he came back to the warehouse about half-past two o'clock—our general dinner hour is a quarter-past one.

JANE HARRIS. I was at home on Thursday the 2nd of July—it was the day of Fairlop-fair—a friend called on me that day—I saw the prisoner at dinner-time—we had bacon for dinner—he did not go out after dinner—I saw him at work in the course of the day—I went out at seven o'clock in the evening, and left him at home then—he was not out at all up to that time—I was waiting to take home the watch-escapement, which my father and the prisoner were finishing—I took it home at seven o'clock.

LUCY HARRIS. I am the daughter of Mr. Harris. I was at home on Thursday the 2nd of July—we had salt bacon for dinner that day—I did not see the prisoner at dinner-time—I saw him at two o'clock in the kitchen—he brought his plate, and knife and fork down-stairs after dinner and went into the yard to the dog, and called the dog by his name—I did not go out of the kitchen the whole afternoon—he could not get out of the yard without coming through the kitchen—I am sure he did not leave the yard till he returned to his work—he could not have been out between two o'clock and half-past two without my knowing it—I saw him again at three—he came down stairs to get some water to drink—he came out of the workshop.

EDWARD KEEMER. I am Mr. Harris's apprentice. I was at home on Thursday, the 2nd of July—I saw the prisoner at home that day, working with his master on the watch escapement—he dined with me about half-past one o'clock—we sat together—he went into the yard after dinner, and came back to work at two o'clock—he remained there till tea-time—he did not go out till after eight o'clock.

GUILTY of Uttering. Aged 17.—Transported for Fifteen Years.

2096. **MARIA SMITH** was indicted for stealing, on the 15th of May, 1 scarf, value 2*l.*; 2 shawls, value 2*l.* 10*s.*; 1 bonnet, value 1*l.* 5*s.*; 3 petticoats, value 15*s.*; 1 pair of stays, value 5*s.*; 1 shift, value 3*s.*; 1 table-cover, value 3*s.*; 1 handkerchief, value 5*s.*; and 1 gown, value 13*s.*: the goods of Emma Vickerman, in her dwelling-house.

EMMA VICKERMAN. I am single, and lodge in Tash-street, Gray's-inn-lane, in the parish of St. Andrew, Holborn. The house belongs to Daniel Lynn—he does not live in the house—it is let out in lodgings—I occupy the first-floor front room—the prisoner lodged there three nights with me—she came out of the workhouse on the Monday previous, she said she had no lodging to go to, and asked me if I would give her one for a night or two, which I did—on Friday, the 15th of May, she slept with me—I awoke about four o'clock in the morning—my things were safe then, and she was in the room—I fell asleep again, and awoke between five and six—the prisoner was then gone, and all the articles stated—they were worth

8l. to me—I have not recovered any of it—I saw nothing more of the prisoner till I heard she was in the House of Correction.

MARIA PRICE. I lodged in the house—I heard the prisoner talking to the prosecutrix about four o'clock that morning—when I got up she was gone—I had seen her the previous evening taking the padlock off the door as the prosecutrix came in—she had just got it off as the prosecutrix came in.

EMMA VICKERMAN *re-examined*. My door was fastened by a padlock, and I had the key with me—I found it broken off—I concluded she had broken it off to get in, not knowing at what time I might be home, and I took no further notice of it—there was no one in the room but her to take the things.

(*The prisoner, in a long written defence, attacked the character of the prosecutrix, and stated that on the night in question a man had gone home with her, and she left the room, leaving them together.*)

MARIA PRICE *re-examined*. I went into the prosecutrix's room about half-past five o'clock—there was no man there—the property was gone then—I saw no man in the room that night.

GUILTY. Aged 29.—Confined Three Months.

First Jury, before Mr. Common Sergeant.

2097. JOHN EDWARD DYER was indicted for stealing, on the 27th of June, 1 watch, value 6s., the goods of Henry Nathan.

HENRY NATHAN. I am a dancer. I left a watch in my clothes in the dressing-room attached to the stage, about a quarter after ten o'clock at night, and missed it between that and half-past eleven o'clock—I did not see the prisoner that day—I saw him three weeks after—he came into the Gardens, and had a key and ribbon hanging from his watch pocket—when he saw me looking at him he tucked it under his waistcoat, and put his coat over it—I went up to him and asked him the time—he would not tell me, but said his watch did not go—I asked him to let me look at it—he would not—I went and told Mr. Holley, and the officer found my watch on him—this is it—(*looking at it.*)

Cross-examined by Mr. BODKIN. Q. You value it at 3s. 6d.? A. 6s.—it is metal—I dance at the Albert Saloon, Shepherd and Shepherdess Walk, City Road—the prisoner was engaged at the fire-works—the dressing-room is in the gardens.

BENJAMIN BICK. I am a policeman. The prisoner gave the watch from his fob when he was charged by the prosecutor.

(*The prisoner received a good character.*)

GUILTY. Aged 19.—*Recommended to mercy.*—Confined One Month.

2098. MARY ANN DIAMOND was indicted for stealing, on the 31st of July, 2 whistles, value 8s.; 2 handkerchiefs, value 3s.; and 1 shilling; the property of Sheik Beetchoo.

SHEIK BEETCHOO. (*Through an interpreter.*) On the 28th of July, I went home with the prisoner, and slept with her—I lost two whistles, two handkerchiefs, and 1s.—these are them—(*looking at them*)—I did not give them to her.

Prisoner. He gave me one handkerchief. *Witness.* I did not—she took them up and said she wanted to look at them, and directly went away with them—I did not give her the whistles to pawn.

RICHARD CLAYTON. I am a policeman. About half-past seven o'clock

4 P

in the morning of the 1st of August, the prosecutor came to me and informed me what he had lost—I went and apprehended the prisoner, and asked her where the things were she had taken from him—she said they were left with the landlord of the Pavior's Arms public-house—the landlord gave them to me—the prisoner gave me the duplicate of the whistles, and I found them in pawn.

HENRY WILDING. These whistles were pawned with me by the prisoner on the 31st of July.

Prisoner. Q. Was not my landlady along with me? A. There was another female with you.

JOHN GREENHAM. I keep the Golden Eagle public-house. The prisoner came into my house about eleven o'clock at night, and gave me these handkerchiefs to take care of for her—she *chucked* them down on the counter and went away—she was put out of the house with the rest of the people.

Prisoner's Defence. He gave me the whistles because he had no money—he told me to pawn them till to-morrow, as if his Serang was on board he should have some money—I came back to him with the money.

SHEIK BEETCHOO *re-examined.* She never came back after going away with the things—I paid the landlady of the house 4s.

GUILTY.* Aged 30.—Confined Nine Months.

2099. JAMES VEIL was indicted for stealing, on the 6th of August, 4 printed-books, value 3s., the goods of Gilkes Stockley.

WILLIAM TRENTER. I live in Oxford-street. On the morning of the 6th of August, about half-past nine o'clock, I was in Mr. Stockley's shop, and observed the prisoner at the window endeavouring to secrete some books—I watched him for half an hour, and saw him collect four particular books that would fit his hat—he put them into his hat, put his handkerchief over them, and put it on—I ran out—he threw the books out of his hat—two fell on the stall and two on the ground—I followed and collared him—he said, "What did you strike me for? I have none of your books"—in the struggle my fist went in his face—I took them up—these are them—(*produced.*)

GILKES STOCKLEY. These are my books.

Prisoner's Defence. I stopped to look at the stall—I had my handkerchief in one hand and the books in another—he came out and hit me in the mouth—the books were never in my hat.

GUILTY.* Aged 25.—Transported for Seven Years.

2100. WILLIAM LANE and WILLIAM MORGAN were indicted for stealing, on the 1st of July, 90lbs. weight of lead, value 11s., the goods of Joseph Richard Wilkinson, and fixed to a certain building.

FREDERICK WILLIAM WARREN. I am in the employ of Joseph Richard Wilkinson, of Watling-street, City; the house No. 4, Fleur-de-lis-court, is his property. About two years ago the roof was fresh tiled and leaded—I have been on the roof, and found the lead cut away—I have examined the lead produced with the lead of the roof—it fits it—I have no doubt of its being the lead.

Cross-examined by Mr. PHILLIPS. Q. When did you see it safe on the house last? A. About two months ago.

CHARLES BARKWAY. I am barman at the Wheat-sheaf public-house, in Anthony-street, St. George's. About three or four o'clock in the after-

noon of the 1st of July, the two prisoners and another man came to the house, and brought something contained in a basket and a leather apron—it was heavy—about eleven o'clock at night I saw the same basket where they had been sitting—they were gone then—I examined it, and it contained this lead—I gave it to the policeman.

Cross-examined. Q. Can you swear that it was not the other man that had the package? A. I cannot say which of them it was—they were all three drinking together, and they came in together.

(ANN BARNARD, being called, did not appear.)

SARAH MUSGROVE. I am a widow, and lived in this house, in Fleur-de-lis-court at the time, Lane lodged there with me—I thought him a very honest man—he was there when I took the house, and lived there nine months—Morgan used to come to him.

JOHN BIVAND. I am a policeman. On the 1st of July, about five o'clock, I saw the two prisoners going down Ratcliff-highway—Morgan was carrying a parcel in front of him—I looked at him, and followed him down to a marine-store shop at the corner of Chigwell-hill, kept by Barnard—I looked through the window, and saw the two prisoners in front of the counter, and the lead lying on the counter—I went and asked the prisoners where they got it from—both said, “I brought it from my own home”—I asked if they objected to go to the station-house—they said, “No”—we went, and in going along, they said they bought the lead of a man two years ago, who was gone to Van Diemen's-land—this weighs 10 lbs. 8 oz.—I afterwards went to Fleur-de-lis-court, and fitted the lead to the roof—it corresponds exactly.

Cross-examined. Q. Did you tear away all the tiles of the roof? A. No, not all of them—I asked Mrs. Musgrove if we might go to the top of the house—she said yes if we liked—she accused nobody in my presence of stripping the tiles off.

LANE—GUILTY. Aged 27.

MORGAN—GUILTY. Aged 20. } Confined Six Months.

2101. JAMES BAKER was indicted for stealing, on the 26th of July, 2 combs, value 1s. ; and 2 brushes, value 2s. 6d. ; the goods of Elias John Clowson.

ELIAS JOHN CLOWSON. I am a seaman, and live at the Sailor's-home. On Sunday, the 26th of July, between nine and ten o'clock, I missed two combs and a hair-brush—these are them—(looking at them)—the prisoner lodged in the same house.

Cross-examined by MR. JONES. Q. How long had you had them? A. Only a few hours—I bought them on Saturday night—I put no mark on them—I kept them on a chair by my bedside—I had used them on the Sunday—I was going out that morning to take a walk—the hair-brush has “2s. 6d.” marked on it, which I gave for it, but this clothes-brush I used on my passage home—I put them all in a paper together by my bedside—there were several lodgers in the house—the prisoner did not lodge in the same room—every man has a room to himself—these articles resemble mine—I have a particular mark on this clothes-brush.

JOSEPH PRICE. I am a policeman. I was sent for, and examined the prisoner's chest—I asked him if it was his—I found these articles in it—it was closed, but had no lock on it—I asked him about the articles—he said

he was in the habit of drinking very hard, and he very probably had purchased them and placed them in his box, but could not account in any other way.

Cross-examined. Q. Did you inquire whether he was a drunken man or not? A. I did—he was in a state of intoxication at the time—the people did not tell me he was in the habit of drinking very hard—they said that when he was on his voyage home he was convicted of stealing wine to get drunk with—I asked if they knew any thing of his habits—they said he certainly did drink.

GUILTY. Aged 27.

2102. JAMES BAKER was again indicted for stealing, on the 28th of July, 1 shirt, value 3s.; and 1 pair of trowsers, value 1s.; the goods of Francisco Antonio.

FRANCISCO ANTONIO. I am a sailor, and live at the Sailor's-home. I went to bed about eleven o'clock on the 28th of July, leaving my shirt and trowsers hanging on my cabin—I lost them—these are them—(*looking at them.*)

Cross-examined. Q. How do you know them? A. The trowsers were given me by a passenger, who bought them at Monte Video—they have a number "907" and letters on them—I know that was on my trowsers—the prisoner has seen me with them on many times—the shirt has got some varnish on the breast, and the sleeves are dirty.

JOHN M'NORTON. I am a waiter at the Sailor's-home. I went into Antonio's cabin and saw his shirt and trowsers—I afterwards saw them found in the prisoner's box, and said they were Antonio's.

Cross-examined. Q. Was the prisoner by? A. Yes—he said the shirt was his, and the trowsers might be his—I had never seen him wear them—they are chiefly worn by Portuguese.

GUILTY. Aged 27.—Transported for Seven Years.

2103. AARON MENDOZA was indicted for stealing, on the 19th of August, 4 brushes, value 2s. 6d., the goods of John Heap.

ROSA HEAP. I am the wife of John Heap, and live in Montagu-street, Spitalfields. The prisoner came to me on the 9th of August, and said he knew where to sell a set of brushes, if we would let somebody go with him—my husband told him I should go with him—I went with him as far as Dunn-street—he went up a step, came down, and said the woman was not at home, but if I went with him to his brother's, he could sell them—he went up a court in Fashion-street, and left me standing outside for an hour—he went through a public-house, and never returned—I afterwards found him in Petticoat-lane, and he said somebody had stolen them from him.

EDWARD SPALL. I am a policeman. I took him in charge—he said somebody had stolen the brushes, and ran away with them.

Prisoner's Defence. I was standing in Petticoat-lane the day before, and had some old brushes to sell; a man asked me to get him a new set; I said perhaps I could. The prosecutor had told me if I wanted any he could supply them. I went, and the young woman went with me. I met a young woman I owed some money to; she took them out of my hand, and ran away.

GUILTY.* Aged 23.—Transported for Seven Years.

2104. MARK KIMBER was indicted for stealing, on the 16th of August, 1 neckerchief, value 2d.; 1 half-sovereign, and 1 crown-piece; the property of William Hartigan.

WILLIAM HARTIGAN. I met the prisoner on the 16th of August quite drunk—I took him home out of charity—he went away, and about two hours after two strange men had the prisoner between them—his shipmate requested me to take him into the house for the night—I laid him on his own bed in the passage—he made a disagreeable noise, and I took him into my own room—in the morning my wife awoke me, and he was fun-bling about the room—he said he wanted to go away—he asked my wife to get him a light, which she did—he put on his jacket, and went out with his bed under his arm—in about half an hour my wife missed a half-sovereign and a crown-piece, which I had given her—I went and found him in New Gravel-lane, in a bad house—I asked if he had any knowledge of the money, he said not—I asked how he came by the handkerchief on his neck, which was mine—he said my wife tied it on his neck—I gave him in charge.

JANE HARTIGAN. I am the prosecutor's wife. He gave me a half-sovereign and a crown-piece—it was safe when the prisoner came into the house—I did not put the handkerchief round the prisoner's neck—nobody could have taken the money but him, nobody else was in the room.

JAMES PORTCH. I am a policeman. I went and found the prisoner—I found a crown-piece, two half-crowns, one shilling, and 6d. in copper, on him, and the handkerchief round his neck.

Prisoner's Defence. Two shipmates took me into the house—in the morning I asked the woman for my handkerchief; she said she had not got it, and she gave me this one.

JANE HARTIGAN re-examined. He did not ask me for his handkerchief—I did not give it to him.

GUILTY. Aged 23.—Confined Six Months.

2105. **MARGARET COUTTS** was indicted for stealing, on the 12th of August, $\frac{1}{2}$ lb. weight of bacon, value 6d., the goods of Samuel Whatley.

JOHN BOWDEN. I am shop-boy to Samuel Whatley, of Tarling-street, St. George's. On the 12th of August the prisoner came and bought threepenny worth of bacon—I saw her put a piece of bacon under her shawl—the other boy went and told my master—I went after her, and said master wanted to speak to her—the other boy took her back, while I went for a policeman.

SAMUEL WHATLEY. This bacon is mine. The prisoner was brought back to the shop—I found it in her hand.

Prisoner. I bought what I had, and paid for it. *Witness.* She did not say she had paid for it at the time.

Prisoner. I said before, that I paid the boy.

JOHN BOWDEN re-examined. I was not there when she was fetched back—I never heard her say she had paid for it.

JAMES HUGHES. I am a policeman. I took her into custody—she said she had paid for threepenny worth of rashers—she did not say she had paid for this.

NOT GUILTY.

2106. **GEORGE RUSSELL** was indicted for stealing, on the 10th of August, 1 plank of wood, value 2s., the goods of John Joseph Hutchins; and that he had before been convicted of felony.

JOHN JOSEPH HUTCHINS. I deal in wood, and live in Foley-street. This plank (*looking at it*) is my property—here is my private mark on it.

JOHN VINEY. I am a sawyer, and live in Union-street, Middlesex—

hospital. On Monday morning, the 10th of August, the prisoner came to me—I went to Mr. Hutchins's yard with him, to fetch a piece of timber to saw—I went to Holiday's, in Noble-street—the timber was too heavy to carry, I sent him for a truck—he did not return—I went to look for him, and found him at the corner of Foley-street—I charged him with stealing a plank—he said he had not, but he soon after said he had taken one, and put it back where he took it from—I said, “It is no use telling me that; unless you bring the plank back I shall give you into custody,” which I did—the plank was found at Smallbone's, in Cumberland-street—I know it to be Mr. Hutchins's.

WILLIAM SMALLBONE. About a quarter after seven o'clock in the morning the prisoner came and said, “Will you let me leave this here for two or three minutes?” and he left the plank at the top of the railing, outside the door.

JOHN BENT. I am a policeman. I produce a certificate of the prisoner's former conviction, from Mr. Clark's office—(*read*)—the prisoner is the same person who was so convicted.

GUILTY.* Aged 19.—Transported for Seven Years.

2107. THOMAS LEVOIR was indicted for stealing, on the 6th of August, 1 watch, value 4*l.*; 1 chain, value 1*s.*, and 2 seals, value 2*s.*; the goods of Henry Pentecost.

HENRY PENTECOST. I am a plasterer, and live in Great Castle-street, Marylebone. On the 6th of August I lent my watch to John Levy, that he might know the time—he took it into his room with him—this is it, and the chain and seals also—(*looking at them.*)

JOHN LEVY. I received this watch from Pentecost to see what time it was—I went to bed, laid the watch on a little box by the side of my bed, and went to sleep—no one was in the room with me but my wife and child—I awoke, and perceived the prisoner's hand on the box where the watch was—he had no business in my room—I saw him going out of the room with the watch in his hand—I jumped up, and pursued him into the street in my shirt—I laid hold of his arm as he was going out of the street-door, and he dropped the watch—he pulled the door to, and caught my arm between the door and door-post.

CHARLES ROBERTS. I am a policeman. I saw the prisoner come out of the door—he cried “Stop thief”—I saw no one running but him—I followed and took him, and the prosecutor gave him in charge for stealing the watch.

Prisoner's Defence. I never had the watch in my hand.

GUILTY.—Aged 20.

2108. THOMAS LEVOIR was *again* indicted for stealing, on the 20th of July, 1 coat, value 3*l.* 10*s.*; 1 handkerchief, value 18*d.*; 1 key, value 6*d.*; and 1 knife, value 6*d.*; the goods of James Kendall.

JAMES KENDALL. I live in Upper Ogle-street, Marylebone. On the 20th of July, about half-past four o'clock in the morning, my apartment was entered while I was asleep, and a coat, handkerchief, latch-key, and pocket-knife stolen—it did not appear how the persons got in or out—the door was left open—I occupy the two parlours, and sleep in the back—my brother slept in the front, from which the things were taken—this knife is mine—(*looking at it*)—I positively swear to it—the coat has not been found

—I firmly believe this latch-key to be mine—it was in the pocket of the coat.

CHARLES ROBERTS. I am a policeman. I found these articles on the prisoner, at the station-house—I saw him throw the key away in Blenheim-street.

Prisoner's Defence. I know nothing about it.

GUILTY.** Aged 20.—Transported for Fourteen Years.

2109 MARY BOURKE was indicted for stealing, on the 20th of August, 1 sovereign, 1 crown, 29 half-crowns, 9 shillings, 4 sixpences, 3 groats, and 6d. in copper, the monies of Godfrey Thurgood, her master.

GODFREY THURGOOD. I am a baker, and live in Great Titchfield-street. The prisoner was in my service six or seven months—on the 20th of August, about twelve o'clock at night, I missed from 4l. to 5l., I cannot say exactly in what coin—there was one sovereign, a crown, a great number of half-crowns, shillings, sixpences, and groats—it was in a drawer in the parlour which was locked, and I had the key in my pocket—I had seen it safe in the drawer about three o'clock in the afternoon—I found the drawer unlocked at twelve o'clock—it was partly locked—the key it was unlocked with would not lock it again—I sent for a policeman, and had the prisoner taken into custody—just as she was going she went into the yard, and I saw her come from the water-closet—I went and searched it, and found the money in a handkerchief, just thrown down the water-closet—I said to her, "Mary, I could not have thought you would have wronged me"—she declared she was perfectly innocent, it was not her who threw it there—no one but her had any opportunity of going there—the policeman was in the parlour at the time—he had not taken possession of her—instead of coming into the parlour she turned into the water-closet—there was only my wife and two sons in the house, and a man down stairs.

ROBERT FAVELL. I am a policeman. I was sent for—I heard the prisoner crying in the passage, towards the back of the premises—there had been no charge made then—Mr. Thurgood was stating the nature of the case to me—I took her into custody—I wished the prosecutor to search where she had been, which he did, and found the money in the water-closet.

Prisoner. Q. Did you see me go to the water-closet? A. I met you coming from there—I searched the places where she kept her things, but found no key that would fit the drawer—the water-closet is not more than three or four yards from the house.

Prisoner. There were three lodgers in the house besides me and the servant—I had gone up to bed, after working hard all day; my mistress came and awoke me up, and told me to come down stairs; I came down, and master said some money was gone. I had not time to go to the water-closet or anywhere else.

GODFREY THURGOOD *re-examined.* I had lodgers in the house, but they were in their own apartments—you can get to the parlour from the yard—I had lost from 4l. to 6l. the day before, and the drawer was in the same condition then, and that evening I watched as narrowly as I could, to see how it had gone—my wife and eldest son were out that evening, till half-past twelve o'clock—no one but the prisoner had access to the parlour—she sat by the drawer at needle-work till eleven o'clock—I was in the shop, waiting on my customers—she went to bed at half-past eleven o'clock—I counted over

the money about twelve o'clock, and 4*l.* 16*s.* 6*d.* was gone—I had not seen the money since three o'clock that afternoon—my wife went out about seven, and the prisoner went into the parlour about nine o'clock—there is a glass door between the shop and parlour—it was half-past twelve when I sent for the policeman—I was the only person up—the lodgers were all in bed then, and the prisoner also—I sent my wife to call her up, on missing the money—she came down with my wife, and instead of coming into the parlour she turned into the yard—I did not see her go into the water-closet, but I am positive she was there, for I saw her coming up the step from it—the back-door was not locked—I went out and fetched the policeman, while my wife went up stairs to the prisoner—she was up stairs half-an-hour with her—I was not out two minutes—I missed the money before my wife came home—my wife did not come down till I hallooed to her to bring the prisoner down with her.

JURY. *Q.* How long elapsed between her going to bed and your missing the money? *A.* About twenty minutes—no one could have gone into the parlour during that time—I was in the shop all the time, and could see into the parlour—a servant out of place slept in the same room with the prisoner that night—the key was always in my pocket—a strange key must have been used.

ROBERT FAVELL *re-examined.* I came in with the prosecutor—I did not hear him halloo to his wife—I saw the prisoner in the passage, coming in a direction from the privy—the passage leads from the staircase—the yard-door was open—the prosecutor's wife came down stairs as I entered the passage—the prisoner had been down before the wife.

JOHN THURGOOD. I am the prosecutor's son. I went into the parlour about half-past ten o'clock, and about a quarter to eleven I saw a key in the drawer—I cannot say what sort of a key it was—I noticed it as I was putting my hat on the drawers—my father often goes to the drawer, and I thought he had left his key there.

GODFREY THURGOOD *re-examined.* I am certain my key was not in the drawer at a quarter to eleven—there was no key in it when I went to it—I am certain my key had been in my pocket from three o'clock.

GUILTY.—Aged 23. *Recommended to mercy.*—Confined One Year.

2110. FREDERICK BALLANTINE was indicted for stealing, on the 17th of August, 1 fender, value 10*s.*, the goods of Robert Butler.

ROBERT BUTLER. I keep a broker's shop in Bethnal Green Road. On the 17th of August I missed a brass fender from outside the door, which I had seen safe three minutes before—I ran out, and saw the prisoner running down the opposite street with it—I called, "Stop thief," and he was overtaken by Hodges—he dropped the fender.

JOHN HODGES. I saw the prisoner running with the fender—he threw it down.

Prisoner. *Q.* Where did I throw it? *A.* Round the corner at the bottom of the street—I never lost sight of you till I gave you in charge—I was close at your heels till you were stopped by a man, and I took you by the collar—you were running very hard.

Prisoner's Defence. The gentlemen never saw me till I was captured—as to their seeing me with the fender they never did—I was going to look after a situation—the prosecutor called, "Stop thief"—a person stopped me—I asked what it was for—he said, "You are the man

who took my fender"—I struggled hard to get away, not knowing what I was taken for.

GUILTY.—Aged 23.—Confined Three Months.

2111. **MARY SULLIVAN** was indicted for stealing, on the 21st of August, 1 jacket, value 20s., the goods of Hugh Elliott.

HUGH ELLIOTT. I met the prisoner on the 21st of August—she asked if I was looking for my shopmate—I said, "Yes,"—she said, "Go up stairs, he is in our house"—I went up, but he was not there—I asked her to give me some water—she gave me some to wash myself—I laid my jacket on a chair close to the door—she went down stairs to pretend to get the water—I looked round and my jacket was gone—this is it—(*looking at it.*)

Prisoner. Q. Did you not give it to me and tell me to take it to the public-house to get beer on it? *A.* Never.

CORNELIUS OWEN. I am a policeman. I met the prisoner about half-past five o'clock in the morning, with the jacket rolled up in her apron—I asked what she had got—she said, "Nothing"—I opened the apron and found this jacket—I said, "Where did you get it?"—she said a sailor gave it to her to go and get half-a-pint of rum—I said, "That won't do for me," and took her.

Prisoner's Defence. They would not take it at the public-house, and I was taking it home to the man.

GUILTY.*—Transported for Seven Years.

2112. **ELLEN MURRAY** was indicted for stealing, on the 18th of August, 1 cap, value 2s.; 1 frock, value 6d.; 1 shawl, value 15s.; 1 half-crown, and 2 sixpences, the property of Louisa Bower.

FANNY BOWER. I am apprenticed to a laundress, and occupy a room with my sister Louisa in St. Alban's-buildings, Bethnal-green; the prisoner also lodged with me. On the 18th of August I missed a frock and cap of my own, and half-a-crown and two sixpences of my sister's—the prisoner was gone—we went after her and found her at No. 3, Cooper's-gardens, Hackney-road—I got a policeman, and found the shawl and cap hanging up there—(*property produced*)—these are them.

HENRY KIDNEY. I am a policeman. I went with the witness to the house and found the shawl and cap in the lower room—I called to the prisoner to come down—she came down dressed, with the frock on—she had pawned her own gown that day for 5s.

Prisoner. I did do it—it is the first time—I had a drop of drink and stopped in Cooper's-gardens, but I meant to get home with her shawl.

GUILTY.—Aged 26.—Confined Six Months.

NEW COURT.—Saturday, August 22nd, 1840.

Sixth Jury, before Mr. Recorder.

2113. **JOHN JONES** was indicted for stealing, on the 11th of August, 1 coat, value 1l.; 2 breast-pins and chain, value 3l.; 1 pair of shoes, value 4s.; 1 jacket, value 2s.; 4 half-sovereigns, 32 half-crowns, 70 shillings, 13 sixpences, and 1 groat; the property of James Fisher, his master; to which he pleaded

GUILTY.—Aged 25.—Confined Eighteen Months.

2114. GEORGE SIMPSON was indicted for stealing, on the 13th of August, 2 half-crowns, and 2 shillings, the monies of Jane Walker; to which he pleaded

GUILTY.**—Aged 17.—Transported for Seven Years.

2115. HANNAH CONNOLLY was indicted for stealing, on the 19th of August, 5 shillings, the monies of Joseph Moore, from his person; and 1 seal, value 1*l.*, the goods of the said Joseph Moore; to which she pleaded

GUILTY.—Confined Six Months.

2116. JAMES TURNER was indicted for stealing, on the 20th of August, 1 watch, value 1*l.*, the goods of King Levinecourt, in a vessel in a port of entry and discharge; to which he pleaded

GUILTY.—Confined Six Months.

2117. WILLIAM BELL was indicted for embezzlement; to which he pleaded

GUILTY.—Aged 66.—Confined Eighteen Months.

2118. HENRY WARWICK was indicted for stealing, on the 1st of August, 1 pair of spectacles, value 2*l.*, the goods of Mary Mangles.

HENRY LING (*police-constable E 35.*) On the 1st of August I saw the prisoner come from a silversmith's shop in High-street, Marylebone—in consequence of what the silversmith told me I followed the prisoner to Tottenham-court-road—he stopped at four or five silversmiths' shops and pawnbroker's—I stopped him, and asked where he had got those spectacles which he had been offering for sale—he said he found them in Oxford-street—he drew them from his pocket and showed them to me—I requested him to come to the station-house, and he went willingly—he was asked where he lived—he said, "At Mr. Mangles, in Wimpole-street"—I went there, but he had left there about three weeks—I took him again on the Tuesday following, and told him the spectacles were stolen from Mrs. Mangles—he said it was not true, he had found them, but it was all right, for Mrs. Mangles would not appear against him.

MARY MILLER PRESTON. I am the daughter of Mary Mangles. These spectacles are hers—she lives at Woodbridge, near Guilford—I have seen my mother wear them—they are gold—she used them the morning they were taken.

ROBERT WHITE. I live in Harley-street with Sir James Sterling. The prisoner lived at Mr. Mangles in Upper Wimpole-street—he came to assist me—when I told him of this he persisted in the story that he had found them—I have known him three months—he had access to all the property.

MRS. PRESTON (*re-examined.*) My mother and I were staying at Sir James Sterling's, and the prisoner came there to help—the maker's name was on the top of the case, when my mother lost them, but the top of the case has been torn off—my mother has seen the spectacles at the Magistrate's—we missed them immediately—they were lost on the day the prisoner was seen by the officer—my mother's case was like this.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Three Months.

2119. ROBERT CRAWLEY was indicted for stealing, on the 19th of

August, 1 handkerchief, value 1s., the goods of Charles William Edwards, from his person.

DAVID JONES (*City police-constable, No. 285.*) On the morning of the 19th of August I saw the prisoner in Newgate-street, following Mr. Edwards, and I saw him take his handkerchief and put it under his coat—I took hold of him, and told the prosecutor, who said the handkerchief was his and gave him into custody.

CHARLES WILLIAM EDWARDS. I live in George-street, Euston-square. I was in Newgate-street that day, and lost my handkerchief—this is it.

Prisoner's Defence. I was going down the street, I saw the handkerchief on the pavement; I took it up, and put it into my pocket.

GUILTY. Aged 22.—Confined Six Months.

2120. WILLIAM SHEARMAN was indicted for stealing, on the 18th of August, 1 handkerchief, value 2s., the goods of Paul Charles Patrick, from his person.

PAUL CHARLES PATRICK. On the evening of the 18th of August, I was passing Tower-hill towards the Minorities, with my son—in consequence of what he said, I followed the prisoner, who was running across Tower-hill—when he got to Rosemary-lane, he threw this handkerchief down—it is mine—my son is not here—I believe he has sailed to-day—I had it safe in my pocket when I came out of the London Docks, not above five minutes before.

ROBERT DAINTRY. I saw the prisoner make two attempts at the prosecutor's pocket—he drew the handkerchief half out, then went a second time, and drew it out—I was about twenty yards behind, and before I could get to him, the prosecutor's son spoke to him—he turned, and cried, "Stop thief"—I am sure that the prisoner took it, and there was another with him.

CHARLES CHAMBERS (*City police-constable, No. 523.*) I was on duty in Rosemary-lane—I heard a cry of "Stop thief," and saw the prisoner running—I opened my arms, and he ran into them—the prosecutor delivered this handkerchief to me.

Prisoner's Defence. A gentleman asked me to mind his horse; when he came out, I was walking on and picked up the handkerchief; they called, "Stop thief," and I threw it down.

GUILTY.† Aged 17.—Confined Six Months.

2121. RICHARD SHERIDAN was indicted for stealing, on the 18th of August, 1 handkerchief, value 6s., the goods of William Anderson Dubois, from his person.

WILLIAM ANDERSON DUBOIS. I am a mariner. On the 18th of August I was in Aldgate—the officer spoke to me, and I missed my handkerchief—this is it—(*examining one.*)

HENRY HOMEWOOD (*City police-constable, No. 669.*) On the 18th of August, between eight and nine o'clock, I was on duty in Aldgate High-street—I saw the prisoner watching me—I got behind an omnibus, and saw him put his hand into the prosecutor's pocket, and take out his handkerchief—he threw it on the ground, and I took him—a lady handed it to me—this is the handkerchief—here is a mark in the middle where the prosecutor had burnt it with a cigar.

GUILTY.** Aged 17.—Transported for Ten Years.

2122. THOMAS SMITH was indicted for stealing, on the 11th of August, 1 handkerchief, value 2s. 6d., the goods of Frederick Hammond, from his person.

FREDERICK HAMMOND. I live in Dover-street. On the afternoon of the 11th of August, I was in St. James's-park, near Buckingham-gate, and missed a handkerchief from my pocket—this is it.

EDWARD LANGLEY (*police-sergeant A 11.*) I saw the prisoner in the Park, fronting the Palace gate—I saw him take this handkerchief from the prosecutor's pocket, and I took him.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Three Months.

2123. ELIZABETH BROWN was indicted for stealing, on the 18th of August, 2 chairs, value 2s., the goods of Daniel Abbott.

DANIEL ABBOTT. I live in Brill-row, Somer's-town. I sell furniture—I was sent for on business, on the 18th of August, and when I came back I missed two chairs from my place—these are them.

CHARLES COLE. I live in Wilstead-street, Somer's-town. The prisoner came to my shop that morning, about eleven o'clock—she brought this cane-seated chair to sell—I asked if she had not got half-a-dozen—she said she had—she wanted 2s. for this chair—I said it was not worth that to me, I would give her 1s. 3d.—she said she was in want of money, and I bought it of her—I put it outside for sale.

Prisoner. Q. You have known me for a long time? *A.* Yes—her husband is a cabinet-maker, and a respectable man.

Prisoner's Defence. A woman gave me the chair to sell, and said she had half-a-dozen—I cannot find her.

GUILTY. Aged 32.—Confined One Month.

2124. FREDERICK HARDMAN was indicted for embezzlement.

HENRY PLAYFAIR. I live in Southampton-street, Covent-garden—the prisoner was my shopman for five or six years. On the morning of the 13th of August I went into the shop to look at the slate on which he entered what he sold—there was an entry of only one spade, and he gave me the money for it—he was employed to receive money in my shop—I afterwards saw at Mr. Cousins's shop two spades with my mark—I got Mr. Cousins to go back to my shop—he said that he bought the two spades there, and paid 6s. for them—the prisoner admitted that he had done so, and said, that having lost half-a-crown of his own, the night previous, he had taken the 3s., and intended to replace it—on going back to the counter I found he had put 3s. on my desk.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Three Weeks.

2125. WILLIAM HAMMOND and WILLIAM HARLOW were indicted for stealing, on the 15th of August, 4 pairs of ear-rings, value 2s., the goods of John Head.

MATILDA HEAD. I am the wife of John Head, of Gloucester-court, Whitecross-street—I keep a stall in the street there. On Saturday night, the 15th of August, I was engaged in trafficking for the sale of a comb, with a young woman—I was told something, and charged the prisoners with stealing a pair of combs—that proved to be incorrect, and I let them go—I then missed four pairs of ear-rings—I went and found them

in White's-buildings—they had had a third person with them before, but not then—I told Harlow it was not combs that they had taken, but four pairs of ear-rings, and asked if he was one that I had spoken to about the combs—he said he was—the officer came and took them—I saw Harlow tear up a card, and I picked up the pieces—I can swear to the card by some hooks on it—a pair of earrings were found in Hammond's pocket at the station-house.

Cross-examined by Mr. PAYNE. Q. How do you know the card? A. By having these nooses in it—I am sure it was Harlow who was tearing it—I was a little flurried—there were a great many people there—Harlow made no attempt to run away—I believe he bears a very good character—the third boy had got away—I have got another pair of earrings all but the top—the two I have lost were worth 1s.

JOHN UNDERWOOD (*police-constable G 33.*) I was on duty—I saw a crowd, and went up—I saw Mrs. Head and the two prisoners—I took them into custody—Harlow had something in his hand, which he tore to pieces and dropped against his feet—I took them to the station-house, and found a pair of earrings in the hind part of Hammond's jacket—he said he found them at the corner of Foster's-buildings.

Cross-examined. Q. Are you quite sure Harlow was tearing the card? A. Yes, while I had hold of him.

GEORGE ROBERTS. I live with my parents in White's-yard. On the 15th of August I saw the policeman holding the prisoners—I saw some boys looking about the ground—I looked, and found a pair of earrings—one of them is smashed—I took them to the prosecutrix's sister, and they were after that given to the officer—I found them about half a yard from where I saw the prisoners.

(Harlow received a good character.)

HAMMOND—GUILTY. Aged 17.—Confined Six Months.

HARLOW—GUILTY. Aged 13.—*Recommended to mercy by the Prosecutrix.*—Confined One Month.

2126. JAMES SAYERS and THOMAS BULL were indicted for stealing, on the 16th of August, 2 pecks of oats, value 2s., the goods of Charles Shadwell, the master of Sayers.

EDWARD KELL (*police-constable S 103.*) On the morning of the 16th of August I was in Edgeware-road about seven o'clock—I saw Bull go to the stable of No. 1, Canterbury-villas, with an empty bag under his arm—I saw Sayers come out of the stable, and look round—he saw me, and went round a corner directly—I continued on the watch, and saw Bull come out with something in a bag on his shoulder—I am sure it was empty when he took it in—I asked him what he had got—he said, "Oh, you can look, I have been to feed the nags"—it was two pecks of oats—I said, "I saw you go to No. 1, Canterbury-villas, and you came out with this"—he then said, "Yes, I have been to borrow it of the coachman"—I took him to the station-house, and went to the stable, where I saw Sayers—I told him he was in my custody for taking oats, which Bull had carried away—he said he had taken none away that morning—he afterwards said a man had been to leave half a bushel of corn, which Bull had called for—I have brought a sample of the oats from the bin in the stable, and they correspond with what Bull was carrying.

CHARLES SHADWELL. I am a solicitor, and live at No. 1, Canterbury-villas. Sayers has been my coachman for fourteen years—I went to the stable when I heard of this, but I do not recollect what I said to him.

Cross-examined by MR. PHILLIPS. Q. I believe you would not have the least difficulty in allowing this man to lend a little corn to the other? A. I do not know that I should—nothing is more common—I do not think he had the least idea of robbing me—I will immediately take him again.

NOT GUILTY.

2127. JOHN GRIFFITH was indicted for stealing, on the 19th of August, 11 handkerchiefs, value 30s., the goods of Thomas Etheridge.

WILLIAM KINGTON. I am in the employ of Mr. Nichols, of Aldersgate-street. On the afternoon of the 19th of August I saw the prisoner go to the prosecutor's shop, put his arm round the window, take out a piece of silk handkerchiefs, put them in his breast, and run away—I followed, and just before I stopped him he threw them away—I took them up.

THOMAS ETHERIDGE. I keep the shop. These eleven silk handkerchiefs are mine.

WILLIAM HENRY EDWARDS (*City police-constable, No. 241.*) I took the prisoner from Kington—I saw him drop the handkerchiefs, and the witness took them up.

Prisoner's Defence. I picked them up at the door.

(The prisoner received a good character.)

GUILTY. Aged 14.—*Recommended to mercy.*—Confined One Month.

2128. GEORGE SKUSE was indicted for stealing, on the 20th of June, 500 bricks, value 20s., the goods of William Easted.

MESSRS. BODKIN and BALLANTINE conducted the Prosecution.

FRANCIS GOODE. I am a surveyor, and live at Pentonville. I am agent to Mr. William Easted, who is contractor for building some sewers at Westbourn-green, for which purpose some bricks, made by Herron and Rutter, at Cowley, were sent by the barges, on the Grand Junction Canal, to Paddington—the prisoner is a wharfinger and occupier of No. 8 wharf, at Paddington—we agreed with him to land at his wharf, to convey them to the works at Westbourne-green—he was to be paid 3d. a thousand for the wharfage—9d. for unloading them, and 2s. 6d. for cartage—the 3d. for wharfage was to be paid whether the bricks were merely carried across the wharf to the carts, or whether they were deposited if the carts were not ready—a barge in general holds twelve, fourteen, or sixteen thousand—I occasionally attended on the part of Mr. Easted to superintend the unloading of the barges, but I deputed my foreman, who generally attended, to see that the number unloaded corresponded with the barge ticket; and if they were right he wrote on the ticket, "Short tally"—the prisoner had no authority to sell any of those bricks—his business was to cart them forthwith to the work.

COURT. Q. Were you or your agent to ascertain the quantity delivered? A. I was not supposed in virtue of my agency to be there, I was to purchase all the materials—I have seen the bricks unloaded at the wharf, but if I was not there my foreman, James Williams, was deputed to do so.

Cross-examined by MR. PHILLIPS. Q. Do you mean to say that you used to compare the unloading of these bricks with the brick ticket? A. Yes, I did that weekly—I should infer that the prisoner was responsible

for any bricks that were lost or stolen from that wharf—I made the contract with the prisoner after hearing what the prices would be, that he should be paid after the rate of 3s. 6d. per thousand for carting and unloading these bricks, and for the wharfage—I did not depute Williams to make any agreement with him—I deputed him to ascertain from the different wharfingers their prices—I consider that the prisoner was to be answerable for whatever bricks could be proved to be landed on his wharf—he was to make them good to Mr. Easted.

COURT. Q. Of whom did you buy the bricks that are said to be lost? A. Of Herron and Rutter—I bought them in the name of Mr. William Easted—the delivery ticket was made out to Mr. Easted, but placed in my hands, and I or my foreman were to see the delivery of them to the prisoner—I was answerable for the delivery of all quantities to the prisoner if the tickets were signed by Williams.

JAMES WILLIAMS. I am in the employ of Mr. Easted, under the direction of Mr. Goode. It was my duty to attend the wharf when the bricks were brought there in barges till Whit Monday—when the bricks were landed the boat ticket came up with the boatmen—I ascertained that the number was right, and signed the ticket as “Received for Mr. Easted”—on the 24th of June I saw one of the prisoner’s carts going down Paddington, loaded with Mr. Easted’s bricks—I saw them delivered at Mr. Cheel’s, in Charles-street, Manchester-square—I followed the cart—I then went to Westbourne-green, where I saw Phillips, and we went to Mr. Cheel’s place, and saw the bricks—we then went to the station-house, and then to the prisoner’s—about three hours and a half had elapsed from the time I first saw the cart till I got to the prisoner’s place—a man, whom I know perfectly well, was driving the cart—he was working for Mr. Skuse—when we saw Skuse he was in the street opposite the King and Queen public-house—he said, “I have taken 500 of your bricks for a man I do a great deal of work for, with the intention of returning them with 500 from Mr. Boyle’s brick yard”—I said, “That is a *rummish* way of doing business, as you have not acquainted me, it is a thing I durst not do of my own accord”—I told him the information I received from Mr. Cheel was quite opposite to that—we then went to the office.

Cross-examined. Q. Was this all that happened? A. He said, “How do you do?”—he often promised he would send all the bricks landed for us to Westbourne-green, and I have said to him “If any bricks are landed here for us, mind and don’t get them intermixed,” and he said, “What bricks are landed for you shall be sent to Westbourne-green, and there shall be nothing diminished”—I asked him to be honest with the bricks, and bring them faithfully to our place—I believe I told him he was answerable for all the bricks on the wharf.

JAMES PHILLIPS. I received a communication from Williams on the 24th of June, and I went with him to Mr. Cheel’s—after that we saw Skuse in the street—he said Mr. Cheel wanted the bricks to use, and it was too far to go to Mr. Boyle’s field—he said he had taken 500 of our bricks away, and he meant to return them next morning.

CHARLES CHEEL. I am a builder, and live in Charles-street, Manchester-square—I went to the prisoner on the 22nd of June—I had often seen him before, but had not seen him then for perhaps a week—I did not order any bricks of him on the 22nd, but I saw some on his wharf, and asked him if he dealt in bricks—he said he dealt in any thing—I asked what

he wanted for those bricks—he said 2*l.* a thousand—I asked him if they were delivered or fetched for that—he said delivered, I said very well, and told him I would take ten thousand if I had room to put them—he asked me if he should send me in five hundred that morning—I said, “No”—I did not tell him that I wanted bricks in a hurry and could not send as far as Boyle’s field for them, nor any thing of the kind—I did not mention any place—he had been employed by me to fetch rubbish frequently—on the next day, the 23rd, I ordered him to send some carts for my rubbish, but I did not order any bricks—I cannot say whether he sent any thing with the carts that day as I did not see them—I did not receive any bricks—nor have any been delivered on my premises at any time—there are five hundred bricks or more for what I know, deposited adjoining my premises, but not on them—they are put against a public house wall—they are marked with a crown I believe—I had not ordered any bricks to be sent.

Cross-examined. Q. Did you not tell him to send some bricks, and that he might take away dung in the carts? A. I told him he might take away dung in the carts, but I do not recollect ordering any bricks—I might have said it, and forgotten it—it was to his man if I did say it—it is usual for wharfingers to sell in that way provided they make the articles good afterwards—I have known the prisoner about two years—I told him if I had room I should like to take ten thousand, but as I had not room I should like to take them in small numbers—I have known him on that wharf for six months, and could find him at any time—I did not consider that there was any concealment about this.

COURT. Q. Did you suppose that wharfingers sold their own goods or other people’s. A. I suppose other people’s—I had no urgent necessity for bricks that day.

JURY to FRANCIS GOODE. Q. Is it not very unusual to make the charge for wharfage a specific sum? A. I cannot say, it being the first job I had of wharfing at Paddington—the agreement was made from the prices given by the prisoner.

COURT. Q. Was it your reason for making the bargain that he should be more than usually bound, in case of the goods being stolen or made away with? A. Yes—we held him responsible that they should be forthcoming for the purpose designed—we paid 36*s.* a thousand for them, and they were carried and delivered at 39*s.* 6*d.*

NOT GUILTY.

2129. GEORGE SKUSE was *again* indicted for stealing, on the 18th of June, 2000 bricks, value 4*l.*, the goods of William Easted.

WILLIAM HUGH RICHARD LEE. I keep the King and Queen public-house, on Paddington-green. The prisoner has been in the habit of coming to my house, and paying his men there—before the 18th of June he owed me 15*l.*, which I had applied to him for—he said he had been buying a horse or two, and he had to pay for a new cart, and was short of money—on the day after that conversation I went to Nottinghill, about purchasing a four-wheeled chaise—I saw four of the prisoner’s carts there loading rubbish—I had some conversation with a person there—I saw the prisoner at my own house after that, and I told him I understood he had the preference of the work at Norland-ground, and I had no objection to take bricks instead of money, if he would let me have them—he said he would, and on the 18th he sent me 2000, marked with a crown---I was to have

them at 40s. a thousand—I have the invoice here—he never communicated to me that they were the property of Mr. Easted.

Cross-examined by Mr. PHILLIPS. Q. You proposed to him to buy the bricks? A. Yes, because I understood from a person at Notting-hill that he had some—I never bought bricks of him before—there were 4000 bricks of Mr. Cheel's on my premises—Mr. Cheel married my wife's daughter—I have known the prisoner two years and a half—40s. a thousand is considered a fair price—he did not desire me to keep this any secret—the bricks were delivered between seven o'clock in the morning and six o'clock in the evening in his own carts, and by his own men.

FRANCIS GOODE. I am agent to Mr. William Easted, who is contractor for building a sewer at Westbourn-green. I bought the bricks, and saw them delivered at the prisoner's wharf—they were usually conveyed by 12,000 at a time, in barges—they had a crown on them—it was my duty, or my foreman, to examine with the barge tickets the delivery of the bricks to the prisoner's wharf—I had the control of the bricks till they were delivered to the prisoner—I held them on behalf of the prosecutor, and handed them over, counting them by the bills, to the prisoner.

Cross-examined. Q. How much money do you owe the prisoner? A. Nearly 7l.—I have kept that back till the result of this trial—I mean to deduct that 7l. as a set-off against the bricks he has sold, if it is the opinion of my legal adviser that I should do so. NOT GUILTY.

2129. GEORGE SKUSE was again indicted for stealing, on the 24th of June, 500 bricks, value 20s., the goods of William Easted.

(No evidence was offered.)

NOT GUILTY.

Before Mr. Sergeant Arabin.

2130. CHARLES WIGGINS was indicted for stealing, on the 12th of August, 2 trusses of straw, value 2s., the goods of John Rutty, his master.

JOHN FLOWERDAY (*police-constable D 132.*) On the 12th of August I was on duty at Paddington wharf—at half-past two o'clock in the morning I heard footsteps, and went to the boat where the prisoner was—I asked if he belonged to the boat—he said, "Yes," and he was going at three o'clock—I said I should be back again by three, I should not leave the gate open—I went and *slammed* the gate to, but remained inside—I saw him go to Mr. Rutty's premises, and take one truss of straw, take it into the boat, and come to the stable again—I saw another man following him—I went, and asked if he was allowed to take straw in the boat—he said "No"—I said, "You have taken one truss, I think"—I went to Mr. Richardson, who went to the barge with me, and found two trusses of straw on board—I do not know the other man.

CHARLES RICHARDSON. I am in the employ of John Rutty, a timber-merchant. The prisoner was his boatman—I did not allow him to take straw out of his stable—he had no right to take it—he took the boats to Cowley, and brought bricks from there, but he had nothing to do with the straw in the stable—it was on my master's wharf that the policeman saw him.

GUILTY. Aged 43.—Confined Six Months.

2131. JOHN COLLINS was indicted for stealing, on the 5th of July, 1 pocket-book, value 1s.; 11 notes of the Bank of France, for 1000 francs each; and 1 note for 500 francs; the property of Gilbert Claud Alzard,

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from his person : and JOHN DAVIES, for feloniously receiving the same, well knowing them to be stolen ; against the Statute, &c.

MESSES. CLARKSON and BALLANTINE conducted the *Prosecution*.

GILBERT CLAUD ALZARD (*through an interpreter*.) I am a native of France. I was in England on the 5th of July, and went, with some friends, by the *Falcon*, to Gravesend—I had a pocket-book, with a number of French notes, one for 1000 francs, separated from the others, and ten others, of 1000 francs each, and one for 500—when I got to Gravesend there was a push while landing—about twenty minutes before that I had felt my pocket-book safe—I missed it in about fifteen minutes after I got on shore—I immediately returned to town—I have seen one of these notes since at Mr. Smart's—I had pointed out means to Mr. Smart to identify the note.

Cross-examined by MR. PAYNE. Q. Where did you see the other notes ? *A.* At Mr. Thomas's, in the City—I do not recollect the name of the street—there were five notes there—my pocket-book was in the hind-pocket of my coat—it was a new coat, and my tailor had omitted to make pockets in the side—the whole amount of the notes altogether was 11,500 francs, there were one bundle of ten notes, for 1000 francs each, another loose one for 1000 francs, and another for 500—I do not recollect the number of the note I saw at Mr. Smart's—all the notes were part of the bundle of ten notes, of 1000 francs each—that I saw at Mr. Smart's was one of the parcel of ten notes—I have seen four of them at Mr. Thomas's—they were my property—I know no person in Paris of the name of Courlan Montgomery—I had no person with me at Paris of the name of Connolly—I had no Irishman with me at Paris going about with me.

KNELLER SMART. I am a refiner and foreign money-changer, in Princes-street, Soho. On Monday, the 6th of July, a man of the name of Davies came to me, between three and four o'clock in the afternoon—he produced this note for 1000 francs, and wished it changed—I required a name and address, and got one—I had received information from the prosecutor that a robbery of French notes had been committed—I refused to give him the money, but proposed to send to the house to which he had given the address—Davies then said it was not his name and address, but the name and address of the man who sent him—he said his name was Davies, a publican in the neighbourhood—I declined to part with the note—he said he should send the man who owned it—I said, “Very well,” and he left the shop—he came back in about an hour, and the prisoner with him—Davies said, “This is the man who owns the note”—the prisoner did not say any thing—he neither denied nor owned that he was the person—he heard what Davies said—the prisoner then said, “I shall have no objection to go with you to Berners-street”—I had told Davies, the hour before, that I had had information of the robbery having been committed on a gentleman living in Berners-street—Davies, on that, asked me if I would give him a written acknowledgment that I had detained the note—I said, “Yes”—while I was writing it the officer entered, and they all went out together—I went before the Magistrate—Davies was admitted to bail, and did not come back.

Cross-examined by MR. PHILLIPS. Q. You had never known Davies before ? *A.* No—he told me he was a respectable publican—he had given the name of John Sevanee, No. 9, Nassau-street.

MR. ALZARD re-examined. This is the note I lost—I know it perfectly well.
NOT GUILTY.

2132. **GEORGE HUGHES** was indicted for embezzlement; to which he pleaded
GUILTY. Aged 24.—*Recommended to mercy.*—Confined Three Months.

Fifth Jury, before Mr. Sergeant Arabin.

2133. **THOMAS BEECHAM** and **JAMES BLAKE** were indicted for stealing, on the 19th of August, in a certain vessel, upon a certain navigable river called the Thames, 1 jug, value 10s., the goods of Macgregor Laird and others, the masters of the said James Blake.

RICHARD KEEFE. The *British Queen* was lying at Blackwall, on the Thames—Macgregor Laird is one of the directors, Captain Roberts was master—I believe this milk-jug belonged to the American and English Steam Navigation Company.
NOT GUILTY.

2134. **JAMES WIGGINS** was indicted for embezzlement.

SAMUEL MATTHEWS. I am agent to Charles Mackintosh and others. The prisoner was their errand-boy—I permitted him to receive money for his master—if he received a bill, he ought to account for it on the evening of the same day.

JAMES MEARS. I am salesman and collector for Samuel Matthews. I called on Mr. Bott for 2l. 8s., which was due on our books—he said he had paid it.

THOMAS READ (*police-constable A 226.*) I took the prisoner for embezzlement—I mentioned this sum 2l. 8s.—he said he had taken it and spent it.

GUILTY. Aged 15.—*Recommended to mercy by the Prosecutor.*
Judgment Respited.

2135. **JOHN POWER** was indicted for stealing, on the 17th of August, 1 pair of trowsers, value 5s., the goods of Mary Crone.

MARY CRONE. I am a single woman, in the clothes line, and live in James-street, Oxford-street. On the 17th of August the prisoner came to purchase a pair of trowsers—after a little bargaining he ran away with them—I called and pursued him, and he was taken—he dropped them, and a person picked them up.

Cross-examined by MR. LUCAS. Q. What did you ask him? A. 5s. 6d.—he offered 3s.—I did not leave the shop—he took them up again, rolled them up, and ran out—I was not serving—the person who was serving them did not leave the shop.

JOHN WILSON. I am a miniature painter. On the evening of the 17th of August I saw the prisoner drop the trowsers—I picked them up—he was running away.

GUILTY. Aged 18.—Confined Three Months.

2136. **ELIZABETH CUSHEN** was indicted for stealing, on the 18th of August, 2 baskets, value 4s.; and 1 sun-blind, value 1l.; the goods of William Yeoley Hill.

MARY ANN WATERS. On the 18th of August I saw the prisoner pass, with a clothes-basket in her hand—I saw her before by sight—I went in and told Mr. Hill, who keeps a basket shop.

WILLIAM HARDING. I am shopman to William Yeoley Hill, in Wigmore-street. In consequence of what Waters told me I went to the

station-house, and got a policeman—he went with me to Oxford-court—I waited about two minutes, and the policeman returned with the prisoner, these two baskets, and the shop-window blind—they are my master's, and were taken from the outside.

JOHN ROCHE (*police-constable D 116.*) Harding gave me information—I went to the prisoner's lodging, and left him there—I went to Woodstock-street, and found the prisoner with these things—I asked where she got them—she said they were her own.

Prisoner. I said they were a woman's. *Witness.* You did not.

Prisoner's Defence. I was employed by a woman last Tuesday to carry some dirty linen to Somers Town; she said she was going as far as Bond-street, and would wait at Mr. Gible's door for me; I got my bonnet, and went out, took the baskets, and put them on my head, and the officer took me.

(The prisoner received a good character.)

GUILTY. Aged 46.—*Recommended to mercy.*—Confined Six Days.

2137. THOMAS KEEFE and MICHAEL JENNINGS were indicted for stealing, on the 11th of August, 1 handkerchief, value 3s., the goods of William Wilkinson, from his person.

WILLIAM WILKINSON. I came from Leeds. On the 11th of August, when the Queen was going to the House of Lords, I was near Buckingham Palace—I did not miss my handkerchief till the officer told me something—I saw it taken from Jennings—this is it—the prisoners were both together.

GEORGE KEMP (*police-constable N 82.*) I was on duty in plain clothes, and saw the prisoners with another boy—I watched them for a quarter of an hour—they appeared in company together—I saw Keefe take the handkerchief from the prosecutor's pocket, and give it to Jennings—I took it out of Jennings's breeches, and took them.

(Keefe received a good character.)

KEEFE—GUILTY. Aged 16.

JENNINGS—GUILTY. Aged 16. } Confined Three Months.

2138. JOHN FARRELL was indicted for stealing, on the 31st of July, 1 necklace, value 12s., the goods of Henry Macrae, from the person of Elizabeth Macrae; and that he had been before convicted of felony.

LUCY BROWN. I am servant to Henry Macrae, of Aldgate. On the 30th of July I was out with his daughter Elizabeth, who is about a year old—I was standing in Whitechapel—the child had a necklace on—I felt a tug at the child, and something touched my shoulder—I turned, and saw the prisoner with the necklace in his hand—he ran away, and when he got a little way from me he stopped—I walked towards him—he ran, and got quite away—he was taken, and I found him at the station-house—I am quite certain he is the person—this is the necklace—(*examining one.*)

Cross-examined by MR. PHILLIPS. Q. Was there another there? A. There was a boy near, that I called to stop him—the necklace was got from the pawnbroker's—the ticket was sent to my master.

JOHN SIMS. I live with my father—he is a tailor. I saw the prisoner running up the street, and Brown running after him—I attempted to stop him—he knocked me down, and got away—when a man tried to stop him, he went under the man's arms—I went into the next street with Brown—he ran away again, we then all went to the watch-house, and afterwards

saw him in Crispin-street, with a lot of boys—he saw us, and walked away from his companions.

Cross-examined. Q. Are you sure it was him? A. Yes—I knew him before.

WILLIAM ALDERMAN (*police-sergeant H 7.*) I went after the prisoner, and saw him in Crispin-street—I took him—the duplicate of this necklace was sent to the prosecutor, and I got the necklace.

CHARLES CHAMBERS (*City police-constable, No. 523.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 12.—Transported for Ten Years.

2139. WILLIAM ROGERS was indicted for stealing, on the 14th of August, 4½ yards of holland, value 2s. 10d., the goods of William Coventry.

GEORGE KEMP (*police-constable N 82.*) Between two and three o'clock in the afternoon of the 14th of August, I saw the prisoner watching Mr. Coventry's shop in Old-street, for a quarter of an hour—there was a large pile of goods outside the door, and a covering over it—I saw the prisoner put his hand under the covering, and take this holland—he was walking off with it, and I took him.

Prisoner. Q. Did you see me pull it down? A. Yes, you had pulled at it for a quarter of an hour.

SARAH COVENTRY. I am niece to William Coventry. This is his property, and has his shop mark on it.

GUILTY.† Aged 17.—Transported for Seven Years.

2140. THOMAS FOX and ISAAC MILLER were indicted for stealing, on the 19th of August, 1 parasol, value 5s., the goods of Stafford Allen.

JAMES HIPPER. I live opposite the prosecutor, in Cowper-street. On the 19th of August, about eleven o'clock in the morning, I was sitting in my room—I saw the two prisoners, and another with them, pass the prosecutor's door, which was ajar—one of them touched the others, the door went open, and in about two minutes the two prisoners came back, looked into the hall, and spoke to each other—Fox placed his back against the door-post, pushed the door open, and went in—he shut the door—Miller stood outside, and in about half a minute Fox came out with the parasol under his coat, and gave it to Miller—they went on—I went down and passed them—I then turned and took Miller—he had not got he parasol then—Fox went off, and I called to a man who stopped him—the parasol was brought by a neighbour, who had had it thrown down his area.

STAFFORD ALLEN. This is my parasol—it had been hanging in my hall for some days.

FOX*—GUILTY.—Transported for Seven Years.

MILLER—GUILTY.—*Recommended to mercy by the Prosecutor.*

Confined Three Months.

2141. JOHN WILLIAMS was indicted for stealing, on the 15th of August, 2 shoes, value 2s., the goods of John Hullock, in a vessel in a port of entry and discharge.

JOSEPH DE CRUZE (*through an interpreter.*) I was on board the *Donna Pasco*, in the West India Docks; the prisoner was a stranger, and had no right there. On the 15th of August I saw him in the fore part of the

cuddy, where the children's shoes are kept—I saw him take the shoes and throw them out of the port-hole, on to the timber in the dock-yard—he then went over the gangway, and went on shore—I saw him take up the shoes, and the officer took him.

JAMES HESLTYNE. I am an officer. I took the prisoner—the prosecutor had taken the shoes from him—Mr. John Hullock is master of the ship, and heclaimed them.

WILLIAM COX STURMER. I am a midshipman on board that vessel. I was in one of the side-cabins—I heard Cruze call out—I put my head out of one of the ports, and saw him holding the prisoner, and pointing to the shoes—I did not see the shoes in the prisoner's possession.

NOT GUILTY.

2142. JANE REYNOLDS was indicted for stealing, on the 12th of August, 1 pewter pot, value 1s., the goods of Isabella Heaviside; to which she pleaded

GUILTY. Aged 28.—*Recommended to mercy.*—Confined Six Days.

2143. PHILIP HAWKINS was indicted for stealing, on the 10th of August, 1 jacket, value 1l., and 1 handkerchief, value 2s., the goods of Joseph Gladstone.

JOSEPH GLADSTONE. On the 10th of August, I was working on board the *Thomas Coutts*, in the East India Dock. The prisoner was a stranger there—my jacket was in the after cabin in the ship—I saw the prisoner on board, and when he went away I saw my jacket on his back—I pursued and took him.

Prisoner's Defence. I went on board to get a ship—a man came and said, "Here, my lad, hold this jacket"—I held it, and he told me to follow him—then the prosecutor took me.

GUILTY. Aged 17.—Confined Three Months.

2144. JOHN PHILLIPS was indicted for stealing, on the 18th of August, 1 coat, value 14s.; 1 waistcoat, value 12s.; and 1 pair of trousers, value 9s.; the goods of Charles Cottage.

LUCY ELDON. I am cook to James Walkingham, Clarence-terrace, Regent's-park. At a quarter past ten o'clock, on the morning of the 18th of August, I was at the end of the passage leading to the area down below—I heard a person coming down the steps into the passage, on tiptoe—I listened, and heard them retreat—I went to the door, and saw a man a few steps up with a bundle—I ran up the area steps, and then I saw him running up the terrace with the bundle, accompanied by another man—I ran after them, and called, "Stop thief"—I ran till the gatekeeper took the prisoner—he threw the bundle down—I am sure he is the person—I did not lose sight of him.

JOHN BROWN. I am gate-keeper at Clarence-gate. I took the prisoner, and saw him drop the bundle—he made his escape for a short time, but I took him again.

JOHN WISE. I am a policeman. I took the prisoner.

CHARLES COTTAGE. I am servant to James Walkingham. These are my property—they were in the pantry, hanging behind the door—I left home about five minutes before ten o'clock.

Prisoner's Defence. I saw the bundle on the ground, and nearly fell over it. I did not run away with it.

GUILTY.* Aged 32.—Transported for Seven Years.

2145. ELIZABETH HICKEY was indicted for stealing, on the 4th of August, 1 pair of shoes, value 3s. ; 1 handkerchief, value 2s. ; and 1 hat, value 3s. ; the goods of James White ; from his person.

JAMES WHITE. I am a waterman, and live in Green Dragon Alley, Narrow-street, Limehouse. On the 4th of August I was going to have a pint of beer at the Bull's Head public-house, Whitechapel-road—I had these things on—I fell asleep, and when I awoke my hat, handkerchief, and shoes were gone—I had had no conversation with the prisoner—she is a stranger—I have never got my property.

ANN WALTERS. I take in washing. I was in the public-house and saw the prisoner untie the prosecutor's shoes, and ease them off his feet—she put one under one of her arms and the other under the other arm, and went out—I followed her and gave information.

SOPHIA BROWN. I was in the public-house with Walters—I saw the prisoner easing the prosecutor's shoes off—she put one under each arm and walked out with another girl—I had seen the prisoner once or twice before, but had not spoken to her.

JAMES EAVES. I am a policeman. The witnesses gave me information, and I took the prisoner on the Thursday.

Prisoner's Defence. I was at the house that night, but I do not recollect seeing the prosecutor there—the two women are bad characters—none of the prosecutor's property has been found. NOT GUILTY.

2146. JOHN MURRAY was indicted for stealing, on the 18th of August, 1 pair of trowsers, value 6s., the goods of James Tagus Shout.

ESSE ALEXANDER. I am married. On the 18th of August, about three o'clock in the afternoon, I was looking at the things exposed at the prosecutor's door at Shadwell—I saw the prisoner rolling up a pair of trowsers in a hurried manner, and he put his finger up to me to mean me to be silent—I called out to the boy, "That man has got a pair of trowsers," and he ran away—he was pursued and taken immediately—I am positive he is the man.

Prisoner. I asked you if I was the person who took them, and you said you were not confident. *Witness.* No, I said I was positive.

DAVID CHARLES WATERS. I am shop-boy to James Tagus Shout. I heard the alarm, and saw the prisoner running away—he turned down Gold's-hill, with these trowsers in his hand—I called "Stop thief," and he threw them into a door-way and ran on—I took him—he told me to let him go.

GUILTY. Aged 19.—Confined Three Months.

2147. WILLIAM BAILEY and WILLIAM JOHNSON were indicted for stealing, on the 15th of August, 3 loaves of bread, value 1s. 8d., and 1½lbs. weight of flour, value 5d., the goods of Robert Hamilton Murray.

WILLIAM MILLER. I am in the employ of Robert Hamilton Murray, a baker. On the 15th of August, I went out with bread—I left my barrow at the corner of Carburton and Charlton-streets—I left a padlock on the barrow, but I had lost the key—I put the lock on as if it was locked—I came back in three quarters of an hour, and missed one large loaf, two small ones, and half a quarter of flour, and the prisoners were in custody.

Bailey. Q. Was the flap up or down? *A.* Up.

ANTHONY VOGT. I am a clock-maker. I saw the barrow at the corner

of Carburton-street as I was coming from business—Johnson was at my door, and Bailey walked up and down—I watched them—they left one another, then came and talked again—they are father and son—Johnson went to the truck and did something, I do not know what—they came together, talked again, and then went to the truck, and Johnson took out one quartern and two half-quarterns, then went away—I went after him and stopped him—he took the flour with him—I took him with the bread—he offered me a shilling—I said, “I don’t want a shilling”—he then offered me two shillings—I said, “I don’t want that, I will have you and your father too.”

HENRY FOWLER. I am a policeman. I took Johnson, and saw Bailey look round the corner of the street, and then run away—my brother officer took him.

Bailey's Defence. We were having a pint of beer—I saw somebody come to the barrow and take the bread and flour out—we went out and saw the bread and flour lying on the path.

BAILEY—GUILTY. Aged 52.—Confined Six Months.

JOHNSON—GUILTY. Aged 14.—Confined One Month, and Whipped.

2148. EDWARD DOWDNEY was indicted for stealing, on the 13th of August, 1 pair of trowsers, value 8s. ; 2 yards of woollen and cotton cloth, called check, value 2s. ; and 1 comforter, value 6d. ; the goods of Henry Richardson, his master.

HENRY RICHARDSON. I am a tailor, and live at Poplar ; the prisoner was my errand-boy for six days, he lived out of the house. On the 13th of August I was returning to the shop—I had been walking up and down the pavement, and on coming in I met the prisoner going out with a bundle—I said, “What have you got?”—he said, “Nothing but my dinner-cloth”—I said, “Indeed, let me look at it”—I found it contained a pair of trowsers which had been left at the shop—I looked and knew them—I searched further, and found these other things—they are mine.

CHARLES WYKES. I am a policeman. I took him and went to his father’s house, and found other things belonging to the prosecutor.

GUILTY. Aged 11.—*Recommended to mercy by the Prosecutor.*

Whipped and discharged.

OLD COURT.—*Monday, August 24th, 1840.*

Third Jury, before Mr. Sergeant Arabin.

2149. ELIZABETH WESTON was indicted for burglariously breaking and entering the dwelling-house of Charles Daves, about the hour of three in the night of the 24th of July, at St. Andrew, Holborn, with intent to steal, and stealing therein, 2 watches, value 2*l.* 15s. ; 1 time-piece, value 15s. ; 1 handkerchief, value 1s. ; 4 pieces of foreign silver coin, value 5s. ; 2 half-crowns, 8 shillings, 16 sixpences, 6 pence, 132 half-pence, and 450 farthings ; his property.

CHARLES DAVIS. I am a victualler, and live in Balls'-gardens, Leather-lane, in the parish of St. Andrew, Holborn. On Friday, the 24th of July, I went to bed at one o'clock, leaving all safe—there is a grating in street at the back of the house, which leads to the cellar—it was quite safe that night—the cellar leads to the other parts of the house—I was called up about ten minutes before six o'clock by a private watchman—

—I came down and saw that the grating was removed so as to admit a person—I then looked in the parlour, and found the press broken open, and two watches and a quantity of farthings taken from it—I missed a time-piece off the mantel-piece, some silver from the shop, and about 20*s.* in silver besides, amongst which were some old sixpences and coins—I lost great number of Irish harp-farthings, which I had been saving up for years—there was one farthing of the reign of George the Second, and three or four others, which I could positively swear to—(*produced*)—I swear these are my property—the time-piece, watches, and other property, are quite lost—about three o'clock that afternoon, in consequence of information, I went to the Crown public-house, West-street—the prisoner had been there, but was gone—she had a stall at my door three weeks or a month previous to the robbery, and I had seen her at my house.

Prisoner. Q. Do you know any thing wrong of me? A. I know nothing of you, except that you lived with one of the persons who were indicted with you, but against whom no bill has been found.

HENRY GRANT. I lodge at Mr. Daves's. I went to bed on the night in question after him—every thing was secure then, the grating and all, for I am very particular in seeing to it.

SARAH SHEERMAN. I live at the Crown public-house, West-street, Saffron-hill. On Saturday, the 25th of July, I saw the prisoner at our house, I think, between eleven and twelve o'clock—there were several others with her—she asked for half-a-pint of gin, a pint of porter, and a pipe of tobacco—it came to 10½*d.*—she paid me forty-two farthings—I put them in the bowl along with others—I heard of the robbery between two and three o'clock in the afternoon—the farthings were given up then to Mr. Davis or the officer.

Prisoner. I did not pay for any tobacco; it was not all in farthings.

ALEXANDER BENSON. I am pot-boy at the Crown public-house. I saw the prisoner come into the house, and saw her with some farthings in a white handkerchief or bag—there appeared to be a good many—I did not see her pay them.

Prisoner. It is false; it was bread and cheese I had in the handkerchief.

SARAH CHANDLER. I live in Greville-street, and let lodgings; the prisoner lodged a short time with a man in my house. On the Wednesday preceding the 25th of July there was some rent due—she told me that day that she would pay me on Saturday morning, and on Saturday she did pay me 3*s.* 6*d.* in halfpence and 1*s.* in silver—she went away on the Sunday—she had lodged there a fortnight.

JOSEPH GINGER (*police-constable G 137.*) I apprehended the prisoner, and received this money from the prosecutor—there is a George the Second farthing among it—the prisoner said she knew nothing of the robbery, and denied all about the public-house—I received these ninety harp-farthings from Mr. Davis.

MR. DAVIS *re-examined.* These are part of what I lost.

Prisoner's Defence. I sell things in the street, and am in the habit of taking great quantities of farthings, and that is how I came by them.

GUILTY. Aged 22.—Transported for Fifteen Years.

Before Mr. Baron Gurney.

2150. WILLIAM DUDLEY and CHARLES WALLBANK were in-

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dicted for breaking and entering a building within the curtilage of the dwelling-house of Mary Gould, with intent to steal, and stealing therein, 3 bottles, value 6*d.*; 1 quart of rum, value 4*s.*; 1 quart of whiskey, value 3*s.*; 1 quart of gin, value 3*s.*; 1 decanter, value 1*s.*; 1 wine-glass, value 6*d.*; $\frac{1}{2}$ lb. weight of tobacco, value 1*s.*; 10 pence, 29 halfpence, and 7 farthings; her property.

MARY GOULD. I am a widow, and keep the Old Swan public-house, in the parish of St. Luke, Chelsea. On the 10th of August I did not get up till after eight o'clock—I received information, and found the property stated, gone from the bar in the lower part of the ground, where there are two rooms and a bar, in which my daughter serves—it is all enclosed with the house—the bar had been broken open—a half-door, the bottom part of which is wood, had been cut open—a hand could then be put in, and the door unbolted—that is the way they had got in—the prisoners were employed about the ground, one to put up the skittles, and the other attending to the boats.

JAMES WOOLGAR. I am a policeman. On the 10th of August, about a quarter after five o'clock in the morning, I saw the prisoners within 300 yards of the Old Swan public-house, going as from the house—they each had a bundle—I stopped them, and found the bundles contained the articles stated—I asked what they had there—they said at first dirty clothes, and then said it was two bottles of wine—I took them into custody—I said, “Do you call these dirty clothes?”—they then said they had bought them at a public-house in Jew’s-row, and were going to a fight to sell them that day—I took them to the station-house.

SARAH ANN GOULD. I am the prosecutrix’s daughter. I know the bar door was locked the night before.

(Property produced and sworn to.)

DUDLEY*—GUILTY. Aged 18. } Transported for Twelve Years.
WALLBANK*—GUILTY, Aged 18. }

2151. DANIEL RUTTER was indicted for embezzlement.

MR. CLARKSON conducted the Prosecution.

LOUIS BECK. I am in partnership with my mother, Sarah Beck, as glass-dealers, in Crown-street, Finsbury. The prisoner was in our service as commercial traveller in London—he went about London to take orders—he had 1*l.* a week and 2½ per cent. commission—he never accounted to me for 3*l.* 3*s.* 6*d.* from Mr. Walker, nor 1*l.* 12*s.* 6*d.* from Mr. Wells, nor 3*l.* 15*s.* 9*d.* from Mr. Coxell—he had authority to deduct his commission out of the money he received—the sums due to me on the invoice would be less 2½ per cent.—he was to account to me the evening of the day on which he received the money.

Cross-examined by MR. PHILLIPS. Q. Had he not at times as much as two months to account? A. No—he never has accounted at the end of two months—I received 8*l.* 3*s.* from him, I think, on the 21st of July—it was not to be put to the general account—he specified a particular creditor to whose account that was to be put—I am sure of that.

MR. CLARKSON. Q. Was Mr. Grain’s 3*l.* 11*s.* one of that sum? A. Yes—Mr. Hanson, 2*l.* 10*s.*, Mr. Sims, 1*l.* 10*s.*, and Mr. Gale, 12*s.*—at that time I was not aware of the deficiencies I have named.

JAMES STARTIN. I am in the employ of Jane Walker, a pawnbroker, in York-road, Lambeth. On the 31st of June I paid the prisoner 3*l.* 3*s.*

6d. on account of Beck and Son—I have the invoice and his acknowledgment of the payment, signed by him in my presence.

Cross-examined by MR. BODKIN. Q. There is no date to this. A. It was on the 31st of June—I know it by my book in which I made the entry at the time—(*receipt read.*)

JOHN WELLS. I am a pawnbroker in the Hampstead-road; I was a customer of Beck and Son's. In February this year I paid the prisoner 1*l.* 12*s.* 6*d.* on their account—I took an acknowledgment for it on the bill—(*read.*)

DANIEL HENRY COXELL. I am a leather-seller, and live in Fore-street, Limehouse; I deal with Beck and Son. On the 8th of April I paid the prisoner 3*l.* 15*s.* 9*d.* on their account, and took this receipt on the bill—(*read.*)

MICHAEL BECK. I am the brother of Lewis Beck. I acted as cashier in the house while the prisoner was there—he never accounted to me for 3*l.* 3*s.* 6*d.* from Walker, nor 1*l.* 12*s.* 6*d.* from Wells, nor 3*l.* 15*s.* from Coxell.

GEORGE MADDOCKS. I am a policeman. On the 5th of August Mr. Louis Beck delivered the prisoner into my custody for embezzling various sums of money—the prisoner said he had a part that he could give him now—I took him to the station-house, and found three half-pence on him—on the way to the station-house he said it was difficulties had brought him to this, and he was sorry for it.

(William Edwards, corn-chandler, New Cut; Thomas Kenyon, pen-maker, Waterloo-road; James Ball, tailor, New Cut; Elizabeth Staples, New Cut; and — Fullilove, Oxford-street; gave the prisoner a good character.)

GUILTY. Aged 23.

2152. DANIEL RUTTER was *again* indicted for embezzlement.

THOMAS MANSELL. I am a general salesman, and live in New-row, St. Giles's. I knew the prisoner as the prosecutor's town traveller—I paid him 10*s.* 6*d.* on the 13th of July on their account—it was the balance of an account of 1*l.* 10*s.* 6*d.*—I had paid the rest previously in two other sums—I have the invoice—he signed the receipt—(*read.*)

JAMES JOHN RICHARDS. I am a dealer in china and glass, and live in East-street, Greenwich. On the 13th of June I paid the prisoner 1*l.* 15*s.* 6*d.* on account of the prosecutors—I have the bill—he signed it, as having received the money—(*read.*)

Cross-examined by MR. BODKIN. Q. You paid it yourself, did you? A. Yes—it was the balance of a larger account.

ISAAC PLATTS. I am a pawnbroker, and live in Upper York-street, New-road. I produce an invoice of the prosecutor's—I paid 1*l.* 3*s.* to the prisoner on the 15th of June on their account, and took an acknowledgment on the invoice—I also paid him 9*s.*, but I understood the prosecutor knew nothing of that sum—(*receipt read.*)

LOUIS BECK. The prisoner has never accounted to me for Mansell's 10*s.* 6*d.*, or Richards's 1*l.* 15*s.* 6*d.*, nor 1*l.* 3*s.* from Platts—I am in partnership with my mother, Sarah Beck—the prisoner was employed as a traveller, to receive money for us—I have his book here.

Cross-examined. Q. Here are a good many entries of cash received in your book after these dates, are any of them of money paid by the prisoner after the 21st of July? A. Not by the prisoner—the 21st of July is the last time he paid me any money—he had 1*l.* a-week—I always paid him

on Saturday night—he deducted his commission as he received the money—he was in the habit of doing that—he might let it run for a week, but never longer.

GUILTY.—Aged 23.—Transported for Fourteen Years.

2153. SAMUEL BAKER, SAMUEL TITE, WALTER TITE, and THOMAS TIPPITT were indicted for stealing, on the 21st of July, 2 casks, value 4s., and 448 lbs. of tallow, value 10l., the goods of John Wyatt.

MR. ESPINASSE conducted the Prosecution.

WILLIAM EDWARD ROWE. I am in the employ of Mr. Wyatt, who has premises in Johnson-street, Old Gravel-lane. On the 20th of July he received two puncheons and an oil hogshead of tallow from Mr. Knight—it was town tallow—I saw it safe on the premises at eight o'clock on the evening of the 20th when I left the premises—on the following morning I found the cask had been cut into, and from 4 to 4½ cwt. gone, the space of the 4½ cwt., was filled up with rubbish, and some tallow melted and put over it—I missed a 2 cwt. and a 3 cwt. cask—one of them was iron bound and chalked—they were oil casks—the prisoner Baker had been in Mr. Wyatt's employ—I know Samuel Tite—he has sold oil and gully to Mr. Wyatt at different times, and has been on the premises for that purpose—we lost a key of the factory three or four months ago—Baker was in our employ at that time.

Cross-examined by MR. CLARKSON. Q. Was Baker in your employ at the time of the robbery? A. No—he had left about a month.

COURT. Q. Where was the tallow? A. In the warehouse—that warehouse could be got into by means of the key that was lost, or a false key—I did not find it had been broken open.

MR. ESPINASSE. Q. On the morning you missed the tallow, did you find any aprons? A. No—two days after I went to put on a clean apron, and found three of my own aprons dirtied by somebody else—I had washed them the Saturday previous.

DANIEL DERRIG. I am a police-sergeant. On the 21st of July, I was passing down Old Gravel-lane, about half-past four o'clock in the morning, and saw two persons with a truck—there were two trucks, and in one there appeared to be something, and a coarse sack thrown over it carelessly—I turned round as they passed me, and looked after them—it did not appear to me to be any thing very bulky—it did not appear the size of 4 cwt. of tallow—the men were dressed in dirty fustian clothes, as it appeared to me—they were coming in a direction from Johnson-street, and were 300 or 400 yards from it—to the best of my belief the two Tites were the men.

Cross-examined by MR. CHAMBERS. Q. You did not speak to them? A. No—they passed me as I was on the pavement—they both had hold of the first truck, and the second was hooked on to it.

MARY ANN LAVER. I am the wife of Benjamin Laver, and live on Chigwell-hill. On the 21st of July, at half-past seven o'clock in the morning, the prisoner Baker came to hire a truck—he hired it, and had it two hours and a half—he then brought it back, and paid 7½d.—there had been grease in it before, but when he brought it back there appeared to be more grease than before—it appeared plainer and fresher—it is a close-bodied truck—not covered, but with sides to it—he returned it at ten minutes to ten o'clock—I saw nobody with him either time.

CHARLES TRIPP. I am a tallow-chandler, and live in Rosemary-lane. On the 21st of July two persons brought a truck to my house at ten minutes to eight o'clock, with two casks of tallow in it—I could not swear to the men—I have no belief as to who they were—one was an oil-cask, and the other a runlet iron bound, and chalked, as if it had been fresh coopered—there was a sack over one—they asked if I bought ship's-fat—I went to the door, and looked at it—the oil-cask was turned bottom upwards—I said, were they both alike?—they said they were—it had the appearance of ship's fat—it was dirtied and messed—I asked what they wanted—they said about 30s. a cwt.—I ordered it in to be weighed, which was done—it weighed $4\frac{1}{2}$ cwt.—I then ordered it into the melting-house, and followed, my men put a spade in to cut it out, and I instantly discovered that it was town-tallow, and it was warm—30s. is a fair price for ship's fat—town tallow would be 50s. 6d., but this was made dirty—I immediately said, "This is town-tallow, and not what you represent it to be, and I won't buy it"—one of them said, so help him, Jesus Christ, it was ship's fat—I turned it out, and said I would not buy it under any consideration, because I thought it was stolen—I unlocked the gates, and they directly took it away, and said they must find another market for it.

Cross-examined by MR. CHAMBERS. Q. How long were they there? A. I should think ten minutes was the furthest—Noble is my man.

JAMES NOBLE. I am in Mr. Tripp's employ. I recollect the men coming with the tallow, on the 21st of July—I can swear to Baker being one of them—I do not know either of the others.

Cross-examined by MR. CHAMBERS. Q. How soon did you see Baker again? A. When I went to the Thames-police, about three weeks ago—I am more certain of him now—I know he is the man.

COURT. Q. Why are you more certain now than you were then? you were not then positive he was the man. A. No, I thought he was the man, but was not positive—I do not recollect their dresses.

GEORGE LAVER. I am the son of Mrs. Laver, who has been examined. I was going to school on the 21st of July, about half-past seven o'clock in the morning, and saw my father's truck in Pennington-street—Baker had it—there was nobody with him when he took it from my father's door—I saw it go from my father's, and as I was going to school, I saw it in Old Gravel-lane—Walter Tite came out somewhere in Pennington-street, with it, and Baker was with him—they took it towards Johnson-street—they both ran down Old Gravel-lane—there was nothing in the truck—they were both in greasy fustian coats.

Cross-examined by MR. CHAMBERS. Q. Has your father's truck got his name on it? A. Yes, in large letters, so that any one could read it.

JAMES FOGG. I am inspector of the Thames-police. I know the two Tites—I saw them on the 21st of July, between nine and ten o'clock in the morning, at Tripp's, and a third man was with them, who is not here—they had nothing with them then—I did not see the truck—they were dressed in dirty fustian greasy clothes.

Cross-examined by MR. CHAMBERS. Q. Is not one of the Tite's a greengrocer? A. Walter keeps a little greengrocer's shop—I was at Tripp's door, and saw them about there for an hour, but I knew nothing of the robbery then.

LAURENCE FELL. I keep the White Hart public-house, in Pennington-street. I have seen Samuel Tite at my house once or twice—I recollect

seeing him about four weeks ago—I heard of the tallow being stolen, and believe it was that morning—he came into my house alone, and one came two or three minutes after him, and they had refreshment—two men afterwards came with a truck or wheelbarrow, but I took very little notice of it as my door was half closed—those two men were in company with Samuel Tite before they left my house—it was before my breakfast, between seven and eight o'clock—the two men were dressed in white smock-frocks—I have looked at the prisoners, and believe the two prisoners, Walter Tite and Tippitt are the two men—I do not recollect any other man coming in while they were at my house—I do not recollect any conversation between any body besides them—I do not believe there was a man in the tap-room before they came in.

Cross-examined by MR. CHAMBERS. Q. Had you ever seen Samuel Tite in your house before? A. I think about half a dozen times before—I cannot say that this was on the morning the tallow was lost—I understand so—Samuel Tite came in alone—another man came in after him, and then two more—I saw a cart or wheelbarrow before the door—the two men who came in last brought that—after they had been in a few minutes two or three more came in, strangers, who had baskets—they were men on their business—there are a good many people call at our house from the Docks.

Cross-examined by MR. JONES. Q. Have you ever before to-day said you believed Tippitt was the man? A. I believe so—I think I said so at the office—I should not like to swear it—to the best of my knowledge I said so before the Magistrate—I do not think they were more than five or six minutes in my house that morning.

RICHARD CRUTCHLEY. I keep a beer-shop in Bacon's-place, Old Gravel-lane. I know Tippitt—he came to my house on Monday evening, the 20th of July, about eight o'clock—I saw nobody in his company—he had one pot of ale, which he paid 6d. for—I did not see any one in his company in particular—the following morning, at ten minutes before seven o'clock, he came to me, and said, had the party been there that morning that was with him the over night?—I said, “I do not know what party was with you over night”—he said, “I was to meet the party at six o'clock this morning”—I said, “The party could not be here, as I have just now opened my shop”—I did not get up till a quarter to seven o'clock—he said he had overlaid himself—he had half-a-pint of ale, and went away—he had a white smock-frock on, which came down to his loins, and a light dress.

Cross-examined by MR. JONES. Q. How long had you known him? A. He came now and then to my house, but had not been for five or six weeks—he was dressed rather cleaner than usual—he said he had been ill with his foot.

ROBERT ROGERS. I keep the Red Lion public-house, in Old Gravel-lane—I know all the prisoners. On the night of the 20th of July I saw Samuel Tite and Baker there with others, who I did not notice—it was about half-past seven o'clock when I first saw them—they went out during the evening, and came in again—while they were there I supplied them with beer and bread and cheese, and I was asked for a newspaper—I gave it to somebody to give them, and the observation was made after they had got it, “We only want to look at the price of tallow”—I cannot say who made that observation, as I was in my bar—I cannot say that I saw either of the prisoners with the newspaper—there were other persons in the room besides them.

THOMAS SQUIRE. I am a policeman. On the 21st of July, in consequence of information, I went to a coffee-shop in Rosemary-lane, between three and four o'clock in the afternoon, and found all the prisoners there taking coffee—I did not observe any one else there—I asked the two Tites if their name was Tite—they said it was—I then asked Tippitt if he was a soap-boiler—he said he was—I turned round to Baker, and asked him if his name was Brown or Baker—he said it was Baker—I then told them I wanted them on suspicion of stealing some fat from Johnson-street—the two Tite's and Tippitt said, "I know nothing about it"—Baker turned round, and said, "I know nothing of the other three prisoners, I have merely just stepped in to have a cup of tea"—I took them to the station-house—on Samuel Tite I found 12s. 1d., on Walter 1l. 8s. 6d., and on Tippitt 3d.—he said it was all he had, but his hand was closed, and on opening it I found 13s. 6d. more—I searched them more minutely afterwards, and Walter Tite gave me 4l. 8s. 6d., and on Baker I found 13s. twisted up in his fob pocket.

Cross-examined by MR. CHAMBERS. Q. Besides the money which Walter Tite gave you up, did you find a Loan Society book on him? *A.* Yes, I have it here—nothing was said about it when it was found—it contains entries of money lent about five months ago—it is an entry of money paid in after having borrowed money—there is a payment of 2s. on the 5th of July.

WILLIAM MAJOR. I am in the employ of Mr. Knight, a tallow-melter, in York-place, Old Gravel-lane. On the 18th of July I packed two puncheons and a hogshead of town tallow for Mr. Wyatt—it would retain warmth in the middle four or five days, in the state of the weather at that time.

(Martha Farrell, and Thomas Bedford, composition ornament maker, deposed to the good character of Baker; and Jane Friar, lodging-house-keeper; and John Ayliff, dyer, Hoxton Old-town, to that of Walter Tite.)

BAKER—GUILTY. Aged 28.—Transported for Seven Years.

S. TITE—NOT GUILTY.

W. TITE*—GUILTY. Aged 32.—Transported for Seven Years.

TIPPITT—NOT GUILTY.

2154. CHARLES GREEN and FRANCES GREEN were indicted for stealing, on the 26th of June, at St. Andrew, Holborn, 1 gown, value 6l.; 2 shawls, value 5l.; 1 pair of breeches, value 1l. 8s.; 1 waistcoat, value 7s.; 2 handkerchiefs, value 8s.; 1 pincushion, value 2d.; and 1 brooch, value 1l.; the goods of Charles James Aistrop, in his dwelling-house: and that Charles Green had been before convicted of felony.

MR. RYLAND conducted the Prosecution.

ANN AISTROP.—I am the wife of Charles John Aistrop, who keeps the King's Arms public-house, Gray's Inn-lane, in the parish of St. Andrew, Holborn. On Friday evening, the 26th of June, I had been out, and when I came home I desired my niece to take my bonnet and shawl up stairs—I went up to bed between eleven and twelve o'clock that night—my bed-room is on the second floor, over the parlour—it was not locked—the room under mine is used as a parlour for the customers—when I got up I found my bonnet on the drawer, but no shawl there—I did not particularly look any further that night, but next morning I looked

about more particularly, and missed from the drawers a pin-cushion, the shawl, and a garnet and pearl brooch, with one stone out—I looked into a large chest, which I do not often go to, and missed a large green silk dress, and cape, and a white crape shawl, and out of the drawer a pair of kerseymere small clothes, a waistcoat and two silk handkerchiefs—one shawl is worth three guineas—the value of all the articles is 4*l.* at least—I gave information, and was shown some of the articles on the following Monday—I had seen the male prisoner several times at our house—he used to come two or three times a week—I saw him there that evening, about half-past seven o'clock, and a female with him—I saw him go out of the house about ten o'clock—there was a female waiting up stairs in the parlour for him—I passed the parlour as I went up stairs, and could see the female in it, but could not identify her.

Charles Green. Q. At what hour did you discover the robbery? A. When I went to bed between eleven and twelve o'clock, my shawl was not there—I did not communicate it to any body that night—I thought the servant might have put the shawl away—I saw you go out with a bundle, but I had not the slightest suspicion of being robbed—when I missed the property in the morning I did not suspect you.

JOHN MILLS. I am barman to Mr. Aistrop. On the 26th of June I had been five weeks in his service—on the evening of the robbery I saw the two prisoners in the back-parlour, up one pair of stairs—I saw them come to the house between eight and nine o'clock in the evening, and served them myself with a glass of gin and water—I retired down stairs to the bar, and the man passed the bar while I was in it, going out at the front-door—I did not observe any bundle with him—I saw them go away about ten o'clock, or soon after, together—I had seen them in the house two or three times before.

Charles Green. Q. What quantity of gin and water did you supply? A. One glass—you ordered it—there were no other persons in the room besides you—I had a full view of your faces and persons—I first heard of the robbery next morning—I suspected you, as there were no other persons in the room—there was company in the front-room during the evening, but not before you left the back-room—I was examined at the police-office, and pointed you out from other prisoners.

WILLIAM HENRY LUMLEY. I am shopman to William Dicker, Church-place, Lambeth Marsh. I produce a handkerchief, a gown, a shawl, and a pair of socks, all pawned at our shop on the evening of the 27th of June—one was pawned about nine o'clock by a female, in the name of Mary Green, and the other in the name of Ann Green—I cannot say whether they were pawned by the same person—I do not know the person.

MARY ANN NIXON. I am the wife of Joseph Nixon, a carpenter in Field-lane. I have known the female prisoner two years last June—on Saturday, the 27th of June, at five o'clock in the evening, she brought some pieces of velvet to my house for me to make her a bonnet—they appeared to be pieces of a crape—I agreed to make her the bonnet—she left them with me—I afterwards gave them up to Shackell the inspector.

JOSEPH SHACKELL. I am a police-inspector. In consequence of information on Monday morning, the 29th of June, I went to No. 4, Whiting-street, Waterloo-road, with Kershaw—I found the street door ajar—I went to the back-room, first floor, and knocked at the door—the male

prisoner opened it—he was in his night-shirt—I told him I had come there about a robbery in Pentonville, showing him a bill at the same time—the female prisoner was sitting up in bed—I told them to dress, and they must go with me—on a chair, by the side of the bed, I saw some things lying—I found this green silk gown on the chair—I asked the woman who it belonged to—she said to herself—I asked who this shawl belonged to—she said it was her own—I asked the man who these trowsers belonged to—he said they belonged to him, and this waistcoat he also said was his—I asked him whose brooch this was on the mantel-piece—the female said it was hers—I found this handkerchief there—I do not recollect any thing being said about it—on the mantel-piece I found a duplicate for a gown, a shawl, and a pair of socks, pawned for 9s., on the 27th of June, at Dicker's; and in a small gallipot, among other tickets, was one for a handkerchief, pawned on the 27th of June for 1s. 6d.—I received this velvet from Nixon—it is the cape of a silk dress—I found in the room a bunch of keys, some of them pick-locks, a chisel, a knife, three small files, and a screw.

Charles Green. Q. When you entered the room what did you represent as your mission to me? A. I had come to apprehend you for a robbery at Pentonville—I suspected you of committing it, or I should not have come there—I did not open the street door with a string, I found it ajar—I did not begin to ask you a variety of questions the moment I came in—to the best of my belief I took the brooch off the mantel-piece—I am certain I did not take it out of a waistcoat-pocket—I found the skeleton keys hanging up in the cupboard—I did not ask the female any questions about her relatives until she told me the gown belonged to her mother, I asked where her mother lived, and her name, and she said, "Nixon, 2, Field-lane"—she did not appear drowsy, as if just awake—she asked if she was to go with me, and I said "Yes"—I did not elicit these answers from her to criminate herself—I told you both I did not want you to say any thing—three of these keys are skeleton ones—on our road to the station-house you pointed out a man going along the street, who I knew, and told me to take him into custody, but I had you two in custody at the same time, and could not.

Q. Are you aware, when the female called from the *cab* window to that man, what he did; did he run away? A. I do not know—I saw him within two hours after—he did not wait at the station-house for the purpose of accompanying me to the house I had taken you from—he did not go there with me—he was seen there with me afterwards, which I will explain—when you were taken I told Kershaw it was requisite to go and search again—we went, and while we were in the room this man came there to the door, I said, "Whoever it is, let him in," and I found it was the same man, but there was no evidence against him—when I was gaoler of Bow-street, six years ago, the prostitute that man was living with was locked up occasionally, and he was in the habit of coming backwards and forwards to her—I knew him by that.

JOHN KERSHAW. I am a policeman. I was with Shackell—he has given a correct account.

Mrs. NIXON *re-examined.* These are the pieces of velvet I gave the officer—I am not the mother of the female prisoner, nor at all related to her.

ANN AISTROP *re-examined.* All these things are mine—the velvet is the cape of this dress—they were all safe on the premises that day.

(The prisoner, Charles Green, in an exceedingly long address, stated that he was by trade a dealer in wearing apparel, by which means he became acquainted with a man named Stewart, in whom he placed the greatest confidence, but having refused to lend him money, he (the prisoner) supposed had excited his resentment; that he had purchased some of the stolen articles of Stewart in the way of business, together with other property, afterwards found to be stolen, some of which he (the prisoner) had given to the female prisoner, with whom he cohabited, and some he had sent her to pledge; that Stewart, in order to gratify his revenge, had placed the other articles in his room, which were found, and then given information to the police; that the skeleton keys did not belong to him, but must have been placed on the bunch by Stewart, for the purpose of strengthening the suspicion, as also the file; that as they were being taken to the station-house, he pointed out Stewart to the officer, who, for some reason, declined taking him; and that the barman did not identify them at the office until they were pointed out to him.)

WILLIAM M'LINNAN. I am a City policeman. I produce a certificate of the prisoner Charles Green's former conviction—(read)—I was present at his trial, and know him to be the person named in the certificate.

CHARLES GREEN—GUILTY. Aged 23.—Transported for Life.

FRANCES GREEN--GUILTY. Aged 20.—Transported for Fourteen Years.

(There were six other indictments against the prisoners.)

Before Mr. Sergeant Arabin.

2155. WILLIAM BURGESS was indicted for embezzlement.

MR. JONES conducted the Prosecution.

RICHARD GOODWIN. I am a coal-merchant, and live at Battle Bridge. In September, 1838, I engaged the prisoner as my clerk, at 30s. a week, to collect money, and receive orders—his duty was on the same evening, or next morning at the latest, to pay the whole over to me—Harriett Draper is a customer of mine—he accounted to me for 1*l.* from her on the 15th of April, last year—he never said he had received 2*l.*

COURT. Q. What day did he account to you for the 1*l.*? A. Either the same night or next morning, but at that time he was very punctual in his attendance to business, and I believe it was the same night—I am certain it was that or next morning.

Cross-examined by MR. ESPINASSE. Q. Have you an extensive business? A. I have a great many customers—I reposed considerable confidence in the prisoner—I found him very active for a considerable time—I deal on the tally system—I have a great many customers, who pay by small weekly instalments—the prisoner was in the habit of collecting those various sums, from 1*s.* a week and upwards—he had a great many calls to make in the course of a year—I should think, on an average, he might have called on a hundred and fifty a day for four days in the week—on some days he had two hundred, and some days less than one hundred—he called on me on the 16th of January this year—I had not sent for him—our conversation was upon a certain deficiency, in which Mrs. Draper's bill was neither included, understood, nor mentioned—I discovered this on the 13th of the present month—I have the prisoner's collecting book for April, 1839—(producing it)—he had a separate book for each district—I have the entry of the 15th of April—the bill is dated 15th of April, but the 18th is the right day that he collected, and here it is, in his own handwriting—

20s. is entered by him as having been received on Mrs. Draper's account—the last entry of 20s. is on the 9th of May—on the 9th of May 2*l*. 10s. was owing from Mrs. Draper, according to the prisoner's account—20s. was paid him on the 9th of May, which made 2*l*. 10s. remaining due to me, according to that collecting book—I looked through all my different books to ascertain the amount of the prisoner's deficiency if I could, with respect to one book, the Chelsea round, but that would not throw any light on this—it was agreed that I was to stop 10s. a week out of his wages to make up the deficiencies discovered on the 15th of January, but none else, and I did stop 10s. a week—I think I continued to stop that till May—8*l*. 10s. was the amount, but I was also to stop 3*l*. 3s. 6*d*. which he owed me for coals—he continued in my service till the 30th of July—one deficiency turned up after another till we got to one hundred and ninety-seven of them—at the time I stopped the 10s. a week for the deficiencies discovered in January, I knew nothing about the receipt of Mrs. Draper's 2*l*.—Mrs. Draper's account is not in the Chelsea book—I did not discover the receipt of this sum till August this year—I told him I had looked through this book—every day he came to my wharf I had some conversation with him on the subject of further errors in his account—I cannot tell whether or not I had a conversation with him on the 17th of July—it is very likely I had—shortly before he left I insisted on having a statement drawn up of the amount of deficiencies in all the books, that I might balance my stock—I proposed at the latter end of June or beginning of July this year that he should remain in my service, provided he would give me security for his honesty in future—I did not wish to go to these extremes, but he treated it as a matter of indifference—he was to give me security that should any future deficiencies arise I might be indemnified by some money—I understood he had some property and thought his security in his handwriting might be sufficient—I did not at that time know of this deficiency of Mrs. Draper's—the terms I proposed were not acceded to—he has not had his wages for the last four days, because he did not come to the counting-house for them—up to that time I paid him—I left off deducting the 10s. a week some time in May—the amount of Mrs. Draper's account is 5*l*. 6s. I think—here is an entry of 3*l*. 16s., but that is a new bill—5*l*. 6s. is the amount she owed me after the 28th of February. On the 15th of April there ought to have been credit given for 2*l*. instead of 1*l*.—this entry of 5*l*. 6s. is in his handwriting, showing the sum actually due from her, but more coals had then been had—I told him the draft of the agreement did not meet my views, and in consequence of the many defalcations I had found since it would not suit me—he said it did not agree with his habits to come so much to the counting-house, and he wanted something where he was more at liberty—I said on one occasion I should require him to continue in my service on certain conditions, and if it was not so I should prosecute him—I do not think I told him that unless he entered into this agreement I would prosecute him—I should be afraid to swear I did not, but it is the impression on my mind—I entered the 10s. a week which I stopped out of his wages in my driblet book, which is here—I have not stopped more than 8*l*. 10s.—here is an entry of 10s. on the 25th of July—I had forgotten that, but still the amount is the same.

MR. JONES. Q. Did the prisoner object to your making this deduction as more than you were entitled to make? A. He did not—he never said that he had made a mistake with regard to Mrs. Draper's 20s.—up to the

time I mention she owed me 5*l.* 6*s.*—if he had accounted for the 2*l.* it would be 4*l.* 6*s.*, but there is an additional pound in her bill which I could not bring home to him, she having lost the bill—I told him the agreement did not meet my views, and I abandoned it—he did not give me notice that he was going to leave—he usually dined and drank tea with us on Saturday.

HARRIETT DRAPER. I am a widow, and live in Margaret-street, Cavenish-square. On the 15th of April, I was indebted to Mr. Goodwin for coals—I paid the prisoner 2*l.* that day on his account, and have his receipt—I gave him two sovereigns—I took up the bill and said, “You have only set down one sovereign and I have given you two”—he then crossed out 20*s.*, and said, “I beg your pardon, I have made a mistake,” and wrote this 40*s.*—(*receipt read*.)

(The prisoner received a good character.)

GUILTY. Aged 45.—*Recommended to mercy.*

2156. WILLIAM BURGESS was *again* indicted for embezzlement.

RICHARD GOODWIN. The prisoner was in my service as collector of orders and monies—he had authority to collect money for me, and should account to me the same night or next morning—Mr. Fisher is a customer of mine in the Soho round—in January this year he owed me money for coals—the prisoner did not account to me for having received any money from Mr. Fisher on the 16th January this year—that was the day on which I forgave him, in the morning, and he received this money about six hours after—I did not know at the time I agreed to take the 10*s.* a week from him that he had received any money from Mr. Bignell on my account—it was not included in the arrangement—it was not even in his collecting book—it was omitted altogether—he did not account to me for 1*l.* 2*s.* received from Mrs. Bignell in January—on the 27th of May he accounted to me for 15*s.* 6*d.* from Mr. Gobbett, instead of 1*l.* 3*s.* 8*d.*, leaving a deficiency of 8*s.* 2*d.*

Cross-examined by Mr. ESPINASSE. Q. Have you got the book that is called, the present Wednesday's Collecting Book? A. Yes—Gobbett's account is not correct here—here is an entry of my son's on the 23rd of January, “Cash 17*l.* 14*s.* 6*d.*, expenses 2*s.*, Burgess's errors 8*s.* 6*d.*,” and here is my signature to it—that was an arrangement between my son and the prisoner—some errors had been discovered the week before, and the prisoner himself took money out of his own pocket, in order that my son should pay it in for him.

Q. These deficiencies of account were always entered as errors, I believe? A. Why, I had my thoughts on the subject—I did not write “Embezzle, embezzle, embezzle,” every week in the books—these entries are my handwriting—they are entries of monies which I charge the prisoner as being deficient with—the prisoner told me he had gone through this account, and he has written “Paid” to a good many that he has not paid to me—he admitted that—these black figures are my writing, and these red ones also—the prisoner was not present when I put them, nor was I present when he made these memorandums in pencil—here is an entry of “Spencer 6*s.*, not 6*d.*, see his own list”—that he had entered it as 6*d.*; and in a list which I had made out he charged himself with 6*s.*—I think I pointed out that error to him, and he said he had got the 6*s.*—I had a list of 137 cases, where he admitted to me he had embezzled money—here is “Coffin 3*s.*,

not 6d., see his own list"—that is the same sort of thing as Spencer's—that might have been made in consequence of my son's representations—I have not been over that round myself—I did go especially to Spencer's, and also to Gobbett's, Bignell's, and others—I had not an opportunity of ascertaining the amounts of all the cases—I sent my son—the prisoner knew that.

MR. JONES. Q. Did you use as much diligence as you could in order to ascertain whether the prisoner's accounts were correct? A. Yes—I was not able to discover all of them at once, nor have I to this day.

HENRY FISHER. I live in Baltic-street, St. Luke's. I was a customer of Mr. Goodwin's—I paid the prisoner 4s. on the 10th of January this year—I took this receipt for it, and saw him sign it.

ELIZABETH BIGNELL. My husband is a butler; I live in Blackland-street, Chelsea. In January, this year, I paid the prisoner 1l. 2s. on Mr. Goodwin's account—this is the receipt I took for it.

ABRAHAM GOBBETT. I live in Green-street, Marlborough-road, Chelsea. In May, this year, I paid the prisoner 1l. 3s. 8d. for Mr. Goodwin, and took this receipt for it, which the prisoner wrote.

GUILTY. Aged 45.—Confined Twelve Months.

Fourth Jury, before Mr. Recorder.

2157. JORDEN CHADWICK, junior, and JORDEN CHADWICK, senior, were indicted for stealing, on the 5th of August, 100 panes of glass, 100 squares of glass, also a variety of doors, stoves, boards, and other fixtures, the goods of John Margetts.—Other Counts, varying the manner of stating the charge.

MR. PRENDERGAST conducted the Prosecution.

JOHN MARGETTS. The house No. 1, Upper John-street, Golden-square, is my property—I bought it by auction, in 1825, and gave, I think, 620l. for it—I have held it ever since—a man named Searl had a lease on it, which lease was not out till a year or a year and a half—I came to an agreement for him to quit, which he did, and a Mr. George, a saddler, was living as his under-tenant—I afterwards let the premises to George—George occupied it since 1825—I let it to him at 60l. a year—Wyatt was a lodger in the attic—George gave me notice to quit some time ago, and quitted at Lady-day, 1837—after that, there were other lodgers in, but none were left but Wyatt, who was in the attic—he has remained ever since—when George left I agreed to let the house to the persons who had occupied it under George—Wyatt was one of them—George was to take the rent of them, and pay me—he was to be my collector—the house has been unlet ever since, except Wyatt being in it—I agreed to let him go out without paying rent, to quit, as I found he was a troublesome tenant, and I could get no money, I seized on him.

Cross-examined by MR. JONES. Q. You bought the house, subject to the lease held by Searle, in 1825? A. Yes—Searle did not stop long—I then let it to George, and he quitted in April, 1837.

Q. Answer this question deliberately—Did you ever let that house, or any part of it, to Wyatt? A. I agreed to let all the tenants remain, as George had told me they always paid their rents—I received rent from Wyatt by seizing on him, never in any other way—I seized on him six or eight months after George left, about October or December, 1837—he did not quit possession on my seizing—he remained in—he has never paid me any rent since—a person named Laurence lived in the house as agent to me, at the same

time with Wyatt—Laurence left several weeks since—they would not let him in.

MR. PRENDERGAST. *Q.* Do you know these things? *A.* I know Laurence complained to me.

MR. JONES. *Q.* Have you, since you bought the house, received rent from any body? *A.* Yes, regularly from George—I have not from any body since he went away—I do not exactly know when Wyatt left the house—I brought an action against him, and sent him to Whitecross-street for the costs—that is within two or three months—I know that the elder prisoner claims this house as the heir of Sir Andrew Chadwick—he had the impudence to tell me so himself two or three months ago—he did not tell me so two or three years ago, to my knowledge—two or three months ago was the first time I saw him in the house, and then in the street—I told him it belonged to him as much as to a mad dog—he did not say anything about my title to it—I told him it was mine—I cannot exactly say how long ago it is that I first heard of the elder prisoner claiming it—it is nothing like two or three years ago—I do not think it is a year, I do not know—I have taken means of getting possession of the house within this year or two—I brought an action of ejectment against Wyatt—my solicitor did not go on with it—I do not know why.

Q. Was the verdict against you because you could not establish your title to the property? *A.* From what I understood from my solicitor, how they failed in it was this, unfortunately I took possession of the house from George—not being well myself, I made a mistake in taking possession at all while George was in the house, and Wyatt would not acknowledge me as landlord—I requested Wyatt to give up possession—he did not—I did not call on Wyatt in Whitecross-street, after I sent him there—I did not send my attorney—I sent some one to him—I did not give him 30*l.* to give me possession—I have liberated him—he has not paid the debt—he has given me a note of hand for 21*l.* costs, and has authorised his son-in-law to join in a note to pay, as he expects money elsewhere—I did not pay him a sum of money—I paid some of his sons 14*l.* or 15*l.*, that Wyatt should give up possession of the house—I thought it better than keeping on at law—I am quite sure I never called on Wyatt, I was never in Whitecross-street prison in my life—I have got full possession of the house—Wyatt gave it to me on liberating him chiefly—I did not liberate him before I got possession—I did it immediately—I have repaired the house very often since 1825—there are water-spouts and many things—George repaired for me, and I ordered things to be done—I have not done anything to it for the last three or four years—I cannot say exactly when I saw it last before I got possession of it—some short time ago—it is in a very dilapidated state—a distress was put in by the collector of assessed taxes, about two years ago—the stoves and fixtures were not distrained on, but the doors and windows in the part Wyatt lodged were—I agreed that they should seize the stoves—no fixtures were taken then—the elder prisoner might have paid those taxes—I do not know that he paid 5*l.*—I very much doubt it—I have not inquired of the collector if he did—I did not pay the taxes which were distrained for.

COURT. *Q.* Did you suffer any part of the fixtures to be sacrificed in order to pay them? *A.* Nothing, save the windows in the attics and the lower windows in the next floor, merely in hopes of getting Wyatt out.

MR. JONES. *Q.* Was that distress put in by Mr. Scott at your sug-

gestion? *A.* He advised me, and I consented to it as a *ruse* to get possession, and we should have seized as often as he could get things, but we found there was nothing but stoves left, and we would not seize any more—I understand the lower windows, and the bow windows, and lead, and shutters were all taken away, and they were coming to take more, but the persons I employed stopped them—that is some time ago—I employed seventeen railway men to take forcible possession some time ago—I do not know whether they were met by an almost equal number of men and repulsed—unfortunately my solicitor told me not to be present at the time—if I had been, I should have had them every one in custody—I got possession peaceably the last time—I was present when the elder Chadwick was in my premises laughing and making game of me, saying the house did not belong to me—I said, “I will soon have you in gaol, and then you will see whether it is my property”—I complained several times to the Magistrate respecting these proceedings—I went to Marlborough-street—the prisoners were there charged with the same offence they are now—I was heard as a witness—I do not know whether other witnesses were examined—Mr. Graham was, and his wife—I do not know whether Mr. Marshall was examined—witnesses were called in support of my charge—the Magistrate dismissed the charge—I was not in possession that day, but I was the next—I had not got full possession, but next day I had full possession—then I was prepared—I went again before the Magistrate to advise with him—I renewed the charge after I got possession—I had not the prisoners there—the Magistrate did not grant a warrant against them—he objected—he said it was a law case—he said he was no lawyer—he refused to grant a warrant, and I told him he did not use me well, that I thought I had reason to make a complaint elsewhere—he turned a little sour on that—I told him I had been Sheriff of a county, and was not afraid of a Magistrate.

Q. Was he very sweet before? *A.* That was another Magistrate—I happened to say I thought he was the most pleasant and humane Magistrate I ever met with—he did not grant me a warrant—I know Mr. Wilson, a broker, of Pulteney-street—I did not offer him 20*l.* or 30*l.* to hire a number of men to take possession for me—he came to me, and said he could take possession for me—I said I did not care who got possession so that they got possession at their own expense, but would not do any thing about it.

MR. PRENDERGAST. *Q.* Wilson volunteered his services, but you did not come to any terms with him? *A.* No—in 1837 George quitted the house—since then I have had no rent—George paid rent several years—I never heard a pretence that Sir Andrew Chadwick ever had the house, and they know it, and they have acknowledged it—I have got all my title deeds.

THOMAS ANGEL. I am a boot-closer, and live in Earl-street, King-street, Long-acre. Between eleven and twelve o'clock, on the 5th of August, I saw the younger prisoner, with a number of men, tearing the house in question to pieces—they were pulling it down—they pulled down the shutters, pulled out the stoves, took up the slabs and chimney-pieces and jambs, the partitions, shutters, shelves, cupboards, and all the wood-work that was moveable—the windows were down, but they took them away from the room, and carried them away—they were out of the sashes,

and placed in the room—the panes of glass were taken out of the frames—I saw an iron boiler which was down in the kitchen—the shop-front had been taken down, that was carried off with the rest of the things—the doors were forced right off their hinges and carried off, and some wainscot—I did not see the elder prisoner till the things had been removed—they were all gone before I saw him, and the van had returned the second time—when it drew up to the door, at least twelve or thirteen men got out of it, some with crow-bars—they then made a furious attack to get possession of it again—I was in the premises, and Mr. Graham and several others—I was there as a friend of Wyatt's, who held it for the landlord—they made a furious attack on the premises, led on by the younger prisoner—the elder prisoner was standing opposite, encouraging the men to go on, but they could not effect an entrance—the policeman arrived, and cleared the pavement altogether—nothing was taken away after I saw the elder prisoner—there was not an entrance made—I did not hear the elder prisoner say any thing about the things which had been carried away—I have heard nothing about it since from him.

Cross-examined. Q. How long have you known the premises? A. All my lifetime—they are now in a very dilapidated state, and have been so since the 5th of August, when they were torn to pieces—the windows were out before, but the doors and partitions were up—Wyatt has lived in the house alone for some time—I have often been in the house—I should say it has not been in a habitable state for the last two years, on account of the windows being out—Wyatt is not a hair-dresser—I was brought up with his sons at school, and have known him all my life—he was sexton of St. James's—he has not been a pauper, that I am aware of—I should say he has lived as a respectable man—his sons and daughters were at work—I do not know how long he has ceased to be sexton of St. James's—it is some years—he lived principally supported by his sons and daughters—I was sent for there, on the 5th of August, by one of Wyatt's sons, not to help in the row exactly, but Wyatt was in confinement at the time, and his son came to me to come—I did not take a stick with me—I assisted in keeping the men out—I stood with my back against the partition of the shop-front—Mr. Graham, the balloon-man, was there, and Mr. Marshall—there were at least fifteen, sixteen, or twenty of us inside, the second time to keep them all out—I have known Graham a great while, but not Marshall—I do not know that Marshall was to have the house if they got Chadwick out—I have known the elder prisoner eight months, he lives in Poland-street—I do not know whether he lives in a house belonging to Sir Andrew Chadwick—I have heard he claims a good deal of property about there, which belonged to Sir Andrew.

MR. PRENDERGAST. Q. He is not Sir Andrew himself, is he? A. Not that I ever heard—I believe he has got a pension in the army—Wyatt was in Whitecross-street at the time this occurred.

COURT. Q. The house is in a dilapidated state, would any body who was the proprietor, or believed himself to be so, pull it down, or is it past repair? A. According to my opinion, I should say he would repair it—I should think it a great sacrifice to pull out the things I saw put into the van.

MR. JONES. Q. Was Mason a builder there at the time? A. No, I saw him there three or four weeks before.

COURT. Q. Was the place more valuable as it stood, than if sold for old materials? A. I should say it was—the only damage I saw before

was the roof a little out of order, and the windows out—the walls were sound.

GEORGE GRAHAM. I am an aeronaut, and live in the neighbourhood of Poland-street. On the 5th of August I was in No. 1, Upper John-street, Golden-square, about one o'clock—I saw both the prisoners there—soon after I got there I saw a wagon with a tilt over it come to the door—I was at the door of the house—several men were in the wagon—I saw the younger prisoner, and the elder prisoner was on the opposite side of the way—at that time all the goods that had been taken were removed, and the van come back for more, but none were taken—I had seen both the prisoners helping to unload the wagon in Poland-street—that was about half-past twelve o'clock—they were taking out a considerable number of doors, windows, cupboards, wainscoting, and shutters—the walls of this house are very good—it wants repairing and pointing—there can be no pretence for taking the brick-work down—I should think the house is more valuable standing than to be taken down—I have had no conversation with the elder prisoner on the subject since this—several times before this happened I have had conversations with him—he knew as well as I did that the property did not belong to the Chadwick property (Mr. Fenelly, his adviser, knows it very well) he has several times said himself that it did not belong to the Chadwick property—I have heard him say so many times—it was a tilted wagon from which I saw the prisoners unloading the things—I did not notice whether there was any name on it—I mustered up a number of men to prevent further dilapidations.

Cross-examined. Q. You live in the neighbourhood of Poland-street? A. I live in Poland-street, at No. 41, within one door of the elder prisoner—I have known him better than twelve months—I am very positive none of the houses at that end belonged to Sir Andrew—I have lived in the house I do now forty-five or forty-six years—the present landlord is Moore, a grocer in the Strand—I pay him rent—I never had a landlord before him—I lived in the house nearly thirty years without a landlord—I was never called on for any rent—Moore has been my landlord about three years.

Q. How came he to be your landlord? A. The Pantheon was undergoing an alteration, in consequence of which they pulled down the party-walls, and being a very old house, I could find no owner—I spoke to Mr. Bromley, an attorney, about it—he said, “The only way you can do is, attorn to me,” and I attorned to him accordingly—I was not so *wide awake* as I was afterwards—I never paid Bromley any rent—he never asked me—I remained tenant to him probably twelve months—he was concerned for some of the tenants of Sir Andrew's property, and that was the reason I applied to him—I am positive he never acted as solicitor for the prisoner—I might have seen Bromley and the elder prisoner together, I am not certain—I am not positive whether I have seen them together in Poland-street—I do not think I have—Mr. Bromley showed me a pedigree of Ann Wood—the elder prisoner has always claimed to be the heir of Sir Andrew, and I thought he was—he has shown me a pedigree, but I know it is good for nothing—he forged names in the pedigree which ought not to be there—he has placed his great-great grandfather three generations back, to represent the late Sir Andrew Chadwick.

Q. How do you know they were forged? A. He told me himself that he went to the church books, took the clerk with him, and took the

weavers' spy-glasses to have it altered in the book—the pedigree was right with regard to his grandfather being placed in the situation it was, but this man belongs to the Middlewood family, and not to the Carter-place family—I have not been down to Carter-place—I have been interested for John Chadwick, one of the claimants—I do not know where he comes from—I never gave it a thought—I believe it is near Rochdale—I cannot say whether it is Arlington—the prisoner has never shown me any register of baptism, marriage, or burials—he showed me a pedigree—I am not friendly to any particular claimant—I wish the right owner to have it.

MR. PRENDERGAST. Q. He told you that by means of a sharp spying-glass they contrived to alter the register in the church? A. Yes, he told me he took one of the weavers' glasses.

ROBERT WYATT. I am the son of Mr. Wyatt, who had part of this house. I do not remember Mr. George being tenant of the house—on the 5th of August, my father was in Whitecross-street prison—I was at the house on Wednesday the 5th of August, about half-past eleven o'clock in the morning, the bell rang, my mother opened the door, and in came Chadwick the younger—I said to him, "What are you going to do? who are you?"—he said, "I will tell you all about it"—I ran directly to get my brother and all the friends I could—there was a tilted van—about two persons fought against me and my brother, but there were about a dozen and a half that took away the fire-grates, windows, partitions, and put them into the van—the partitions and windows were fixed, and formed part of the house—they severed them, and took them away—they cleared the way with crow-bars—they were damaged in taking down—the sashes had been removed from the first-floor up to the second before, and they carried them off—I saw two of the men fall through the window, and break them in the cart—they were all carousing together—I saw the elder prisoner at a public-house, and he came over the way—I cannot say whether he interfered in the removal of any of the things—he was a witness to it—he was standing opposite—he put his hand to his nose at our party—I was inside the house, and could not look at him—I had quite sufficient to do to keep my own head on my shoulders.

Cross-examined. Q. Did he wave his hand to any body, or any thing of that kind? A. No, he did not attempt to put his hand on me or any one else—he was quiet enough—I have had a little refreshment to-day—I am quite sober now—I have lived in this house six years altogether, full—there were other lodgers in the house besides our family—my father was a lodger—he paid rent for living there.

Q. When? A. Why, I dare say the last—why rent, you know, has been disputed for some time—I will swear he has paid rent for living there to my knowledge—I remember George living there when I was a boy, but not in the time my father took it—it is eight or nine years ago that I remember George living in it, when he kept a saddler's shop there—I cannot tell how long since he left it—it is more than five years—I dare say about seven, but excuse me, I do not know so much about it as my brothers do, because I have not been there—I have been in service—I was footman to the late Judge, Sir John Vaughan. The house was in a very bad state of repair latterly—it was not tenantable—I do not think it has been tenantable for the last three years—my father and mother lived in the attics—I have often

seen Mr. Chadwick there—I cannot say how long it is ago that I first saw him there—it might be two or three years—he did not inquire of me whether it had belonged to Sir Andrew Chadwick—I did not hear him inquire of my father—I cannot tell whether my father has been very much engaged about Sir Andrew's property—my father was clerk of St. James's Church—I think he ceased to be so in 1823—he is here to-day, outside—I do not know that he very much interested himself about Sir Andrew's property—I never heard him tell the prisoner that the house belonged to Sir Andrew.

Q. To your knowledge has Mr. Jorden Chadwick paid your father for keeping possession of that house? **A.** You see I do not know any thing of it, because I am travelling all over the country as a servant—my brother might tell—I remember my father being distrained upon for the King's Taxes—Mr. Chadwick paid the distress out—I cannot tell whether it was 4*l.* or 5*l.*—fixtures, stoves, and such things were distrained on—I do not know whether they were condemned—I cannot tell when Mr. Chadwick paid the distress out, because he claimed the property as the heir of Sir Andrew—he might have paid it.

COURT. Q. Do you know that he did? **A.** No, I was not present—I do not know any thing of it.

MR. JONES. Q. Did you negotiate for your father with Mr. Margetts? **A.** My brother did—I know of Mr. Margett's paying some money—I do not know what he paid for my father's liberation—the younger Chadwick came to the house about half-past eleven o'clock in the morning—I said, "What are you at here?"—he said, "I will show you, my boy"—just in that way, and I went out and got "a force" directly—that was not after my father had agreed to give up possession to Mr. Margetts—there were so many claims to the place, it was a dreadful life to live in it—I have been cut down myself by a crow-bar.

Q. Was not the house in such a state before the Chadwick's came to it, that it was not fit for any decent person to live in with comfort? **A.** Well, I certainly must say there were windows taken out—I know Mr. Mason, a carpenter—I do not know his son—I did not see Mason about the house at the time the van was there—I will swear he was not there—I had seen him about there a day or two before—I do not know that he *has been* employed by Chadwick to take away all the old materials inside, and repair the house entirely—Mason is an intimate friend of my father's—I do not know what he was doing there—I should say he was inquiring how the property got on—he is not a builder—he is foreman at some place—he only gets 30*s.* a week.

RICHARD WYATT. I live in this house. I was there on the 5th of August—I saw the younger prisoner, and several men with him—I was not *there* at the time they first came—I saw them taking away the fixtures, the grates, and the partitions of the different rooms, which were standing when they first came—I saw them take them down—I did not see the elder prisoner at that time—I saw him when the van came the second time, nothing was removed after that time—I did not hear any one say before him what had been carried off—he was over the way at the public-house when I went there, standing with his back against the bar—I did not ask him any thing—the *only* words he said to me was that I was a coward—my father lived in this house when Mr. George was there, and paid rent to Mr. George—after that he lived there without paying any rent at all—on the 5th of Au-

gust my father had an action brought against him for an ejectment, and had gone to prison for the costs—no arrangement had been come to on the 5th of August, by which my father was to give up the lease, and hold the house for Mr. Margett's—I do not know who Mr. George was tenant to.

Cross-examined. Q. Perhaps you know that he did not pay rent to any body else afterwards? A. My father paid rent to no one after he paid Mr. George—he has lived there for the last six years without paying rent to any body, up to the 5th of this month—the house was certainly unfit for habitation the greatest part of that six years—part of the roof was in, the second-floor windows out, some of the doors were off, and as to the necessaries there was no using them—the parlours were tenantable enough—we lived in them somewhere about three years—the second-floor and the garrets were bad—the first-floor was not—my sister slept in the first-floor, though the windows were out—we slept in the parlours—it was principally wood-work that was taken away on the 5th of August, and marble from the front of the grates—I know Mr. Mason—I did not see him there about that time—I do not know that Mr. Chadwick had employed him to do some repairs to the wood-work—I do not know that he was employed at all—no repairs have been done to it by Mr. Chadwick—they were shaving the windows, that is all—the planer was at work one day—that was about the 5th of August—I cannot say exactly—it was I and my two brothers that gave up possession to Mr. Margetts—we had 10*l.* from Mr. Margetts for it, not more—we had my father's release from Whitecross-street as well, besides that—he is not entirely discharged from the debt—we have undertaken to pay it when we come to better circumstances—I have lived in the house up to the 5th of August—Mr. Chadwick has been there very often latterly—he has not paid my father for keeping possession of the house—he has not given any thing to my father and mother that I am aware of—I do not know that my father has interfered a great deal about the property in that neighbourhood—I never heard him tell Mr. Chadwick that it was Sir Andrew's house—I know Mr. Chadwick claims it as the house of Sir Andrew, but there are so many claimants—I have seen this printed paper in the window—(*looking at one*)—I cannot read.

MR. PRENDERGAST. Q. Did you yourself ever know that Sir Andrew or any one under him, had any right over the house at all? A. No—I do not know that his being the heir of Sir Andrew would give him any right to that house—I have heard there was a Sir Andrew Chadwick, but I never saw him.

MR. JONES *called*

THOMAS FENELLY. I live in Acton-street, Gray's Inn-road. My father was the executor to Sir Andrew's estate—the elder prisoner claiming that property, introduced his son to me—no rents have been paid to the executor—my father has been dead thirty years.

COURT. Q. Does it appear by any papers in your possession, what estate this house is on? A. We have a rent-charge on three acres, comprising Great Marlborough-street, Poland-street, and various streets—I believe Upper John-street is mentioned as part of the field.

MR. PRENDERGAST. Q. Do you mean to swear that Sir Andrew, or any body belonging to him, ever had possession of this house? A. I cannot swear whether it was built since his death or not—my father was a doctor, living at Enfield—he lived to the age of seventy-five—Sir Andrew died before I was born.

Q. How do you know your father was his executor? **A.** I have seen his will—the papers did not come into my hands—I have an attested copy of the will—I consider this man the heir at law—the will did not carry the freehold estates—there were no witnesses.

MR. JONES. **Q.** Do you know any thing about it? **A.** I have seen various documents relating to it—Mr. Bromley acted as solicitor for this party.

ELIZA LOCKWOOD. I rent the house No. 43, Poland-street, said to belong to a gentleman at Islington—Mr. Marshall and Mr. Graham brought Mr. Chadwick to my house to take him in as a lodger—there is a trial pending about this very property—I have left off paying rent, as there is a replevin.
NOT GUILTY.

NEW COURT.—Monday, August 24th, 1840.

Fifth Jury, before Mr. Common Sergeant.

2158. FRANCIS WILLIAM FOSTER was indicted for obtaining books by false pretences, with intent to defraud Charles Knight and others; to which he pleaded

GUILTY. Aged 14.—Transported for Seven Years—Convict Ship.

2159, WILLIAM REEVE was indicted for stealing, on the 19th of August, 1 coat, value 1*l.*, the goods of John Dawson.

JOHN DAWSON (*police-constable T 52.*) I live in Bow-street, Covent-garden—the prisoner was formerly in the police-force. On the 19th of August I had a great-coat hanging up in my cupboard, by my bed-room—the closet was not locked—the prisoner absented himself from the station-house the night I lost the coat—I found him in Primrose-street, City, with the coat on his back—this is it.

Prisoner's Defence. When I took the coat I was going home to my friend's in Norfolk—Dawson knew me, and knew my friends—I worked for Dawson—I intended to send him the coat back again.

JOHN DAWSON re-examined. I had never lent him the coat before—he absented himself without leave.

GUILTY. Aged 21.—*Recommended to mercy.*—Confined One Month.

2160. ROBERT SIMCOE was indicted for stealing, on the 20th of August, 1 painting and frame, value 1*l.*, the goods of John Askew.

JOHN ASKEW. I am a carver and gilder, in Rathbone-place, Marylebone. I was in my parlour at the back of the shop, on the 20th of August—I saw the prisoner in the shop—he went out with something in his hand—I ran after him—he ran, and dropped this picture, which is mine—he was stopped by a boy—I am sure he is the person—this is the picture.

GEORGE HAGGER (*police-constable E 127.*) I took the prisoner.

Prisoner's Defence. I went into the shop to see if I could get any thing to do—a man in the shop said, “Come out,” and he gave me the picture at the door.

(The prisoner received a good character, and his master promised to employ him again.)

GUILTY. Aged 19.—Confined Eight Days.

2161. MATILDA DAW was indicted for stealing, on the 31st of July,

1 boa, value 18s.; 1 gown, value 10s.; and 1 shawl, value 10s.; the goods of John Brooks.

ELIZABETH BROOKS. I am the wife of John Brooks, who is in the Life Guards. The prisoner was with me at Windsor five or six weeks, and she came to my house in Edward-street, Regent's-park, up to the 27th of July, and then left—I missed my gown, boa, and shawl—these are them.

Prisoner. I received them from you to pledge. *Witness.* No, I lent her two shawls and a gown to pledge, but not these.

WILLIAM SKINNER. I am a pawnbroker. This boa was pawned by the prisoner for 5s., and this shawl was pawned by the prisoner in the name of Mayes.

HENRY ROBERTS (*police-constable S 164.*) I found the things at the pawnbroker's.

Prisoner's Defence. I acknowledge respecting the watch, it was distress alone caused me to do it; I was obliged to leave my home through the ill-usage of my husband, and with an infant at my breast. My prosecutrix having accused me of taking this apparel from her room, is false, I received them from her own hands to pledge, and she has had part of the money.

NOT GUILTY.

2162. MATILDA DAW was *again* indicted for stealing, on the 8th of July, 1 watch, value 6l.; and 1 watch-guard, value 1l.; the goods of John May, to which she pleaded

GUILTY. Aged 34.—Confined Three Months.

2163. ANN DAVIS was indicted for stealing, on the 31st of July, 1 whistle and chain, value 16s., the goods of Kaloo.

KALOO (*through an interpreter*) I went with the prisoner to a house on the 31st of July, to bed—she told me to take my clothes off, as it was very hot—I did so—in about an hour I got up to wash myself, during which time she got up, and went down stairs—I had put my boatswain's whistle and chain on the bed—when I returned to the bed it was gone—I have not seen it since—there was no one else in the room.

CATHERINE KILLMAN. My mother keeps the house. About half-past eleven o'clock the prisoner came with this Lascar—I showed them up stairs—the prisoner came down to me after, and wanted me to take the chain and whistle—I said I would not—I recommended her to go and put back—she took it out of my hand and went up stairs again—I have not seen it since—I did not see her go out.

WILLIAM ATKINS (*police-constable K 383.*) I took the prisoner in charge—I have not found the whistle.

Prisoner's Defence. I went with the prosecutor to this house, and remained till the morning—I had the whistle and chain in my hand, and expressed a wish to have it—the witness told me to return with it, which I did, and in the morning it was not to be found—the room was not locked—there were other people in the room in the morning.

GUILTY. Aged 24.—Confined Three Months.

2164. JOHN BALL was indicted for assaulting Sarah Hansford, on the 17th of July, with intent, &c.

GUILTY. Aged 71.—Confined One Year—Penitentiary.

2165. JAMES READ was indicted for assaulting Mary Louisa Shepherd, on the 6th of August, with intent, &c.

GUILTY of a Common Assault. Aged 42.—Confined One Month.

2166. JOSEPH STOCKER was indicted for an assault on Adelaide Elizabeth Bidet.

(MR. BODKIN declined the Prosecution.) NOT GUILTY.

2167. PATRICK RUVANE was indicted for assaulting John Mablin.
NOT GUILTY.

2168. JOHN RATCLIFFE and JOSEPH DEACON were indicted for an indecent assault.

RATCLIFFE—GUILTY. Aged 61. } Confined Two Years.
DEACON—GUILTY. Aged 27. }

2169. BENJAMIN ROBINSON was indicted for an assault on William Hart, with intent, &c.

GUILTY. Aged 34.—Confined Two Years.

ESSEX CASES.

Before Mr. Sergeant Arabin.

2170. ROBERT DEANE was indicted for embezzling 10*l.* 0*s.* 4*d.*, and 6*l.*, the monies of Edwin Abbott and others, his masters: also 25*l.* and 20*l.*, from the same parties; to both which indictments he pleaded
GUILTY. Aged 52.—Transported for Seven Years.

Before Mr. Common Sergeant.

2171. ANN DOVE was indicted for stealing, on the 3rd of August, 1 pillow-case, value 1*s.*; 1 handkerchief, value 4*s.*; 1 pair of mittens, value 3*s.*; 1 pair of cuffs, value 2*s.*; 1 purse, value 2*d.*; the goods of John Woodley, her master.

MR. RYLAND conducted the Prosecution.

SARAH WOODLEY. I am the wife of John Woodley, he resides at Walthamstow. The prisoner came into my service in July as housemaid, and in a fortnight I gave her a fortnight's notice to quit—she then remained one week more—on the 3rd of August I missed a pair of mittens from my drawing-room—I spoke to her about them—she said she had not seen them—I found fault with her on account of the linen being left out at a late hour—she said she would leave immediately, and get away from such an old *devil* as I was—I wished her not to leave till her master came home, but she wished to go, and I consented—she then said, "Here are my keys, if you like to look into my box"—I went up stairs—she then seated herself on her box, and said I should not open it—I saw her open it—she raised some things on the top, and took some articles out, but I could not see what—some she put into her bosom, some into her sleeve, and some into her pocket—Mr. Woodley afterwards came home, and the policeman was sent for—he and another servant searched her—I saw my mittens in her hand, and my pillow-case I took partly from under her dress, as it was dropping down—this cambric handkerchief was in her pocket, which had fallen off, and this purse—I think my mittens were in her sleeve first, but I saw them in her hand.

Cross-examined by MR. BALLANTINE. Q. You had a good character with her? A. Yes—when she went to her box she opened it and kneeled down before it—I was watching her as attentively as I could, but I could not see what she took out, as she leaned over it—I could not see whether she put her hand two or three times in—she was over the box, perhaps,

two minutes—I saw her hands very busy about her person—she went out of the room after that, which I tried to prevent—she went into the back-kitchen—I followed her there and into the water-closet—she was not out of my sight.

WILLIAM EPPS (*police-constable N 3.*) I was called to Mr. Woodley's on the 3rd of August—I saw the prisoner in the kitchen—I went up to her room—I saw this pillow-case falling from under her clothes—this handkerchief and purse were taken from her pocket—these mittens and cuffs she drew from under her sleeve to throw them behind the box—I saw some sugar and other things found in her box, which she said were her own.

(The prisoner received a good character.)

GUILTY. Aged 27.—Confined Six Months.

2172. JAMES WRIGHT was indicted for assaulting Emma Ashby, with intent, &c.

GUILTY. Aged 24.—Confined Six Months.

KENT CASES.

Before Mr. Recorder.

2173. MARY MULLIGAN was indicted for stealing, on the 27th of July, nine yards of printed cotton, value 4s. 6d., the goods of Mary Guy and another; to which she pleaded

GUILTY. Aged 16.—Confined Ten Days.

Before Mr. Baron Gurney.

2174. ROBERT FAIRBAIRN was charged on the Coroner's Inquisition only with killing and slaying John Whistler.

HENRY WILLIAM WILD. I am a gold chaser, and live in Wilderness-row. On the 1st of July I was a passenger in the *Princess Victoria* steamer going to Gravesend—we got to Greenwich about half-past eleven o'clock in the morning—I observed a boat bringing passengers on board from Greenwich—it came on the Kent side of the steamer—on the Isle of Dog's side, at least the north side—I cannot say whether the boat was hooked to the steamer—one young lady came on board from the boat—I saw another young lady in the act of coming on board from the boat, but the steam boat went on, the paddle-wheel went round and filled the boat with water in an instant—I heard the words "Let go," and "Go on," almost together—"Let go" was said first—before the words "Let go" were said the boat appeared to me to be hooked to the steamer, though I cannot say whether it was—the second young lady was stepping on the ladder—she fell back into the boat—the boat was filled with water, and the waterman, the boy, and the deceased were in it, besides the lady—the boat was unhooked then—it floated some distance from us, although it was full of water—I then saw the deceased and his sister struggling in the water, although in the boat, and the deceased, I suppose, must have slipped over the boat, and sunk to rise no more—I cannot say whether I saw him in the water—I do not know who gave the command of "Let go," and "Go on"—the lady who did come on board was assisted by somebody on board she was almost pulled up the steps—I should think the boat floated thirty or forty yards from the steamer before I missed the deceased—I cannot exactly judge—there was a sailing-barge a-head of us, coming towards us—I

should think she was thirty or forty yards from us—we had quite stopped—I am frequently on the water—I think the barge would have struck the steamer if we had not gone on—I did not see another steamer behind the barge.

Cross-examined by Mr. CLARKSON. Q. You are not acquainted with the mode of acting under certain emergencies on the water? *A.* No—I do not know whether it was a wherry that came alongside—it was a larger boat than I often see on the Thames—it was a waterman's boat—the barge was coming down in a direction towards the side on which the boat was—we were near the north shore—the skiff was not capsized—there were five persons in the boat, one of whom came on board—the steamer had stopped before the boat came alongside, I am quite sure of that—I did not see any hook in any body's hands—the barge was sailing—she was coming up with the wind—we were going with the tide, and she was coming against it, I believe, I am not certain.

JOHN WEST. I am mate of the barge *Mary*, which was coming towards the *Victoria*—the tide was with us—when nearly opposite Greenwich I saw the *Victoria* going on—I observed her stop, and saw a wherry go alongside—I did not see the lady get out—I saw the boat hooked to the steamer, but did not see her afterwards till she was sunk—the hooking was done by the steamer—the *Emerald* steam-boat came up by the side of us, and hit us about the quarter-mast, and carried away our mizen-mast—she was coming up close behind us before the *Victoria* stopped, and at the time the boat was hooked on to the *Victoria* she struck us—we were about twenty yards from the *Victoria* at that time, inside, to the north—if the *Victoria* had not moved there was danger of our running against her, we should have hit her on the larboard quarter, and struck her—we were on the same side of the *Victoria* as the wherry—I do not think the boat would have been in danger from us, according to my judgment—we should have struck the *Victoria* further abaft than where the boat was—by her going on, that collision was avoided—we cleared every thing—I saw the lady and gentleman in the water.

Cross-examined. Q. Was the boat hooked on, or held on by a man on board the steamer? *A.* Hooked on by a hook belonging to the steamer—ours is a seventy-ton barge, and was loaded with forty tons of loam—I think we should have struck the steamer abaft on her quarter, about half a boat's length from the boat—if I am deceived in my calculation, and we had struck the boat, it must have been crushed, and every body in it have been killed—the *Emerald* striking us helped us round—we were about twenty feet from the stern of the *Victoria*—I could almost have reached her with a hook—I should think the steamer had been nearly a minute in motion at that time.

WILLIAM THOMAS. I am a waterman. I was in the wherry—it was my wherry—I took off a gentleman and two ladies to put on board the steamer—I went on the larboard side of the steamer—she stopped when I went alongside—one of the ladies stepped on the ladder—the other did not follow, she stopped in the state-room of the boat—she did not come out of the state-room—while the first lady was stepping on the ladder the steamer was set on—that commenced while the first lady was stepping up off the boat on to the ladder—I did not hear any command given on board the steamer—I was hooked on by the hook of the steamer—I suppose she went on on account of the barge coming towards her—it

sunk my boat in an instant, it filled her in an instant—the hook was let go—it unhooked itself, but the hook was fast when the steamer went on—we sunk even with the water's edge—I held fast to the boat—the boat did not sink to the bottom of the river—the lady and Mr. Whistler were washed out of the boat, and the gentleman was lost—the lady was saved—it was spring-tide, and blowing hard from the westward—we generally hold our hat up, or sometimes our hand, when we want to come on board—when we have got our passengers on board we say, “All right”—I had not done so in this case—I had two more to deliver—the gentleman and lady who were left in the boat rose up, but never came forward in the boat—when I found the boat sinking I told them to sit down—mine is a large boat—I have had 26cwt. of ballast in her, besides four grown people—the tide and wind were opposed to each other—in my judgment, the barge was about fifty or sixty yards from the steamer when it went on—if the steamer had not gone on I should have been safe, and my passengers too—we should not have been at all in danger from the barge that was coming—she might have struck the steam-boat on her quarter astern of my boat.

Cross-examined. Q. How much astern of your boat would she have struck? A. About a boat's length, I cannot exactly say—it would not have been so little as half a boat's length—it was blowing what is called half a gale of wind—there was an Irish boat coming down the river, and one had passed before—they had created a swell—I did not think I was in an awkward situation when I went alongside the steamer, not till I was alongside, and then I saw it—I said to the passengers, “For God's sake, be as quick as you can, for the barge will be into us”—that was when the lady was getting out, when I came alongside at first—Captain Fairbairn was on the paddle-box—he was in a situation to see the boat—I did not hear him call to the man at the boat's head, “Let go”—I think the steamer went on to save herself from the barge striking her on the quarter—I did not see the mizen-mast of the barge go.

JANE EDMOND. I was one of the party in the wherry—I got up the ladder of the steamer—I was dragged up by somebody on board the steamer—I did not see any danger—when I stepped up the steamer was still—I saw it move directly afterwards, and saw the boat fill—Mr. John Whistler and his sister were in the boat—he was drowned.

JOHN SUMPTER POVAH. I was on board the wherry.

Cross-examined. Q. Did the boat after she filled get to shore? A. No—she kept on the water till she was picked up and towed ashore—I was taken out of her.

SAMUEL BENJAMIN WINKWORTH. I am captain of the *Emerald*. I was going up the river, and was astern of a sailing barge—we struck the sailing barge, and carried away her mizenmast—I saw the *Victoria* and the wherry after we struck the barge—she was going off to wind, and according to her position she would have reached the *Victoria*, which was taking in some passengers out of a boat—I saw the young lady stepping into the boat, and had not the captain set on the vessel he must, I conceive, have endangered the vessel and the lives of the passengers on board—I think the steamer and the boat were both in danger from the barge at that moment.

Cross-examined. Q. In your judgment if the steamer had stood still must the barge have struck the gangway of the steamer? A. I believe she must have struck the steamer, and according to the position she was in, she was rushing towards the gangway ladder—she must have smashed every body in the boat if she had struck there—I have been on the water

since 1813—if I had been placed in the position Captain Fairbairn was, I should undoubtedly have done what he did—out of two evils we always take the least.

Court. Q. In your judgment in the emergency he was placed, you think he did for the best? A. I do. NOT GUILTY.

Before Mr. Common Sergeant.

2175. JAMES HICKS and THOMAS BRACKSTON were indicted for stealing, on the 4th of August, 2 handkerchiefs, value 2s. 6d.; 2 gowns, value 18s.; 1 printed book, value 1s.; 2 aprons, value 1s.; 1 reticule, value 6d.; 2 shifts, value 2s.; 2 caps, value 1s. 6d.; 1 cap-front, value 1s.; 1 pair of stockings, value 6d.; and 1 pincushion, value 1s.; the goods of Harriet Elliott: and 1 candlestick, value 1s., the goods of Richard Wyatt.

HARRIET ELLIOT. I am a servant out of place—I was staying at the Leather Bottle public-house, at Erith. On the 4th of August I saw the two prisoners, who lodged in the house—the articles stated in the indictment were in my box in my bed-room on Thursday afternoon, the 4th of August—I missed them on Friday morning—the prisoners lodged in my room—they came and begged a lodging, and not having room the landlord got me to sleep with his daughter, and gave them my room—I left my trunk in the room—the articles produced are mine.

Cross-examined by MR. PAYNE. Q. Had they lodged in the house several nights? A. Yes—the box was under the bed—I have marks on the things.

Cross-examined by MR. BALLANTINE. Q. Had you slept in the room before? A. Yes, a few nights—I went to my box between four and five o'clock in the afternoon—I saw the prisoners go up to the room that night about ten o'clock—Brackston went up first.

RICHARD WYATT. I keep the house. I lost a candlestick, which is here—it stood on the stairs—the prisoners went away at five o'clock on Friday morning.

Cross-examined by MR. PAYNE. Q. Had Hicks any thing with him? A. No—Brackston had—they were together, and bid me good morning—I do not know that they slept in the same room—I saw Brackston sleeping in the young woman's room—I do not know where Hicks slept.

JOHN EVANS. I am a policeman. On Friday morning, between seven and eight o'clock, I met the two prisoners—Brackston had a bundle, and Hicks a gun—I asked what they had got—one said he had a gun—I asked where they came from—they said, "About half a mile below Plumstead"—I asked where they brought the gun from—they said, "From Yorkshire"—at the station-house I asked Brackston where he got the bundle—he said it was his mate's wife's things—Hicks said, "That's right, mate; they are my wife's"—the bundle contained these articles—I found 2l. 2s. on Hicks, and 1s. on Brackston—the candlestick was in the bundle.

HICKS—NOT GUILTY.

BRACKSTON—GUILTY. Aged 20.—Confined Nine Months.

2176. THOMAS WOLLEDGE and JAMES PHILIP WHITE-WOOD were indicted for stealing, on the 7th of July, 80 pieces of wood, value 5s., the goods of William John Alfred Ives, the master of Wolledge.

MR. ADOLPHUS conducted the Prosecution.

WILLIAM JOHN ALFRED IVE. I am a ship-builder and wood-merchant

—I carry on business at Deptford, in Kent. The prisoner Wolledge had been in my service about two years—he was empowered to sell wood, and to receive the money—in consequence of something that had been said, I gave him directions to trust nobody, to sell only for money—he accounted for the wood sold by entering it down on a slate—I have here the slate on which he wrote on the 7th of July, and when he came in with it I asked him twice if that was all he had sold, whether on credit or otherwise—here is the slate—(*reads*)—"July 7—Whitewood, three feet of board, 16s. 3d."—this is his handwriting—I asked him if that was all Whitewood had had, and if that was all he sold, whether on credit or otherwise, and he said it was—the value of three feet is 16s. 3d., and 4 feet is 1*l.* 1s. 6d.—I asked him again about an hour after if he had given credit to any body, and he said he had not—his wages were 10s. a week—they had been at first 5s., and I advanced them to 10s. without his asking me.

Cross-examined by MR. PHILLIPS. Q. Had you a character with him? A. No—he had but a short time before been out of a school—I have here a model of a wood-frame on a scale of an inch to a foot—he had probably been in the habit of giving credit before, but never without my consent—I am sure when I spoke to him I used the words "on credit or otherwise"—I was examined before—I asked whether he had sold any more wood, and whether he had given any body credit, and I expect that has the same meaning—I knew of his having given credit to Mr. Weedon previously, but not on that day—he might have given credit to the Mr. Bottleys months ago—I am not prepared to say without my books, whether he did or no—they have had credit six months ago, but since that time I have given different directions—I know Mrs. Fletcher has had credit, and Mr. Evans—all my customers have had credit—the value of the wood I charge Wolledge with having stolen is about 5s.—he has been out on bail—I cannot tell whether he surrendered to-day to take his trial—I did not hear him called—I did not see him till he came to the bar—I never kept any money of his in my hands—he never deposited any money in my hands to the amount of 20*l.*, or 10*l.*, or 5*l.*—where was he to get it?

MR. ADOLPHUS. Q. Have you any reason to suppose that he ever had 10*l.* in his life? A. No—he gave credit till about six months ago, but I found myself a loser, and I told him not to give credit without my consent—it was his duty to come to me before he gave credit to any one—it is on this slate, "Three feet of board 16s. 3d."—from eighty to a hundred pieces of board would go to make up a foot of board in this frame—the pieces are placed flatways in it.

ARTHUR MARTIN. I am the prosecutor's foreman of the blacksmiths. In consequence of something I told Mr. Ive, he told me to watch the proceedings of Wolledge—on the 7th of July Whitewood's cart came into the yard—I watched and saw Wolledge put four feet of wood into the cart—Whitewood and Miller were at the grindstone, which was sixty or seventy feet from where the wood was loaded, but Whitewood had gone first and seen the wood measured in the frame—he saw four feet measured, and that was afterwards put into his cart—a foot of wood signifies a pile of pieces of wood of about eighteen inches long, and the pieces are piled in a frame six feet wide and six feet deep—I am not prepared to state how many pieces it will take to fill up one of these feet—I never examined them, but I should suppose about eighty—Mr. Ive asked Wolledge if he

had trusted Whitewood any wood, and he told him no, no more than what Mr. Ive knew of.

WILLIAM MILLER. I am in the employ of Mr. Ive. I was present, on the 7th of July, when the wood was put into Whitewood's cart—I helped to frame it—there were four feet put into the cart while Whitewood was at the grindstone grinding his hatchet—he did not see what was done, nor order that it should be done—I helped to load the four feet of wood into the cart—Wolledge asked me to do it—I said, “Let the man see the wood put in,” and Wolledge said, “Never mind”—he said, “If Mr. Ive comes, say only three feet have gone in the cart”—he said *Jemmy* would stand a drop of beer if he let him have it—I loaded four feet into the frame, two feet six inches from one frame, and eighteen inches from the other.

Cross-examined. **Q.** Was that all that Wolledge said? **A.** He said, if he let Whitewood have the wood, he would pay him when he went round at night.

Q. Was not what he said this, “He has only paid me for three feet, and he will pay for the other foot to-night when I go round?” **A.** Yes, but I had forgotten that till you put it into my mouth—I did not know what he meant.

MR. ADOLPHUS. **Q.** Was what he said this, “If he asks you how much wood Whitewood took in his cart, tell him three feet; he has only paid me for three feet: he will pay for the other foot to-night when I go round?” **A.** Yes—he said, “He don't want to see the cart loaded; if we load it he will stand some beer”—he said, “My father and mother are going to Sheerness, and I must get them money enough to pay their passage up and down, or else they will pawn my watch.”

JOSEPH WYATT (*police-constable R 72.*) I took Wolledge on the 10th of July—I searched his counting-house, on Mr. Ive's premises, where he settles his accounts—I found there 11s. in a card-case, and 1½d. besides—he said that money belonged to him—he said he had trusted Whitewood five feet.

Cross-examined. **Q.** Was the box open in which you found the money?
A. Yes. **NOT GUILTY.**

2177. THOMAS WOLLEDGE and JAMES PHILIP WHITEWOOD were again indicted for stealing, on the 10th of July, 18 pieces of wood, value 5s., the goods of William John Alfred Ive, the master of the said Thomas Wolledge.

WILLIAM JOHN ALFRED IVE. I am a ship-builder and wood-merchant, living at Deptford. Wolledge was in my service, and had been for two years—he came originally as a lad, and I hired him at 5s. a week, he behaved so well, that I advanced him to 10s. a week—I had information which led me to be suspicious and watchful over him—on the 10th of July I directed the same witnesses as in the last case to watch—I did not watch myself—I called Wolledge in on the 8th to settle his accounts—he told me he had given no credit—I had directed him to give credit to no one—there was a discovery made respecting Whitewood, and he came into my premises on the 10th—Whitewood had had credit before, but Wolledge always asked me—he never had credit for less than three feet, to my knowledge—he never had credit for one foot, to my knowledge—I went into the yard on the 10th, and asked Wolledge for all his money

he had—he gave me 4l. 5s.—I asked him whether that was all he had, and whether it included the money Whitewood had just paid—he said it did—Whitewood's cart had just drawn out of the yard—I called him back and conversed with him a little, to lull his suspicion, and asked him what quantity of wood he had taken, he said, five feet, and knowing that he had six feet, I gave him into custody—Wolledge was not present when I gave Whitewood into custody—six feet would come to 1l. 12s. 6d.

Cross-examined by MR. PHILLIPS. Q. You asked him if the money he produced included the money that Whitewood had paid? A. Yes, for the wood he had just taken away—he said, "Yes."

Cross-examined by MR. CLARKSON. Q. How long had Whitewood dealt with you? A. Some months—I cannot tell exactly how many months—he has never had credit for less than three feet of wood, to my knowledge—he never had credit for more than a quarter, which is six feet—he has never had 5l. or 6l. or 7l. in amount, I will swear that—I cannot tell for what amount he has been on my books—I can tell it was not 5l., because he is a man I would not trust—I cannot tell whether he has had credit for more than 5l.—I have detailed all that passed between me and Whitewood—I said to him, "Is that all?" and he gave me an answer that I did not hear—I do not know what he said—I walked a little on one side—he seemed to mutter something—I did not repeat it, because it was useless—I did not know what he said—he did not speak long enough to say, "It is five feet that I have paid for, but I have another foot to pay for to-night"—the cart was just outside the yard when this occurred, and I called him in—I said to him, "I say Whitewood, when do you mean to pay off any of the debt?"—that was to lull his suspicion—I do not exactly know what the debt was—I think it was about 3l.—I cannot, without my books, say whether it was 5l.—he said, in answer, "I don't know, master, times are very bad, and I am not doing much; but as soon as it is in my power I will pay you something off"—I might have said, "By-the-bye, Whitewood, I have got four frames of yellow wood on board ship"—I do not remember saying, "Will you want it, think you?" or his saying, "Oh yes, if it is any thing like this, have it in the yard"—I never heard him say, "Put it by for me for a little while"—I cannot remember what he said, it was just conversation to keep him from suspicion—I then said, "Whitewood, what wood have you got in the cart?"—he said, "Five feet"—I said, "Is that all?"—he did not say, "I have paid Thomas for five, and I owe for one"—I put my foot on the step of the counting-house—I was close enough to hear what he said, I did not walk away—I do not know whether I said I walked away, you *bother* me so—I cannot remember what I said—I was before the Magistrate when Martin the blacksmith was being examined—he was in Court when I was examined—I was the first witness—I do not know whether I handed to Martin a paper, and put it into his hand—I might have done so—I do not know that I did it—I might have forgot such a thing as that—I will not swear that I did not hand to Martin a paper with writing on it, but I do not recollect—I will not swear that I did not state to him, on handing it to him, "You will do better with this"—I do not remember giving him a paper.

Court. Q. Had you written on any paper? A. I wrote no paper in the Magistrate's office that I know of—I do not remember any thing of the sort, it may be possible.

Cross-examined by MR. PHILLIPS. Q. Will you swear that you did not write a paper relative to the evidence that you and Martin were to give? A. I do not remember any thing about a paper—I will not swear that I did not write upon a paper, relating to the evidence, and give it to Martin, while he was under examination—I might have done such a thing and forgot it—I have got my depositions to read over—I recollect what I gave in my depositions—I might have referred to a paper myself while I was under examination before the Magistrate, but I will not swear it.

MR. ADOLPHUS. Q. With respect to any debt that Whitewood might have owed you, was that debt contracted with your consent? A. Yes, it was months ago, and I would not have trusted him 5*l*.—he then owed me a debt that was not paid—he always came and asked my permission when he had credit, he used to state what he was going to have—he never told me he had five feet when he had six—I had ceased giving him credit for some time—the conversation about yellow wood was merely to occupy time—it took place at the counting-house door—I did not go into the counting-house after, I only shut the door, and put my foot on the step—he had finished muttering then—he hardly spoke—we went before the Justice on the 10th—I had been no where to write a paper—I went straight to the station-house—I did not write any thing there—I wrote nothing at the Magistrate's office except my name.

COURT. Q. Can you swear you did not write something, no matter where, before you went to the Magistrate's office? A. I do not remember writing any thing on this subject.

ARTHUR MARTIN. I am a blacksmith, and live in Church-street, Deptford. On the 10th of July I was at Mr. Ive's—I took notice of what was doing by Wolledge and Whitewood—I saw Whitewood's cart come into the yard, and draw up to a quarter of a frame of wood—Whitewood was with the cart, and they began to load the cart, and had taken the whole of the wood that was in the frame—it was from top to bottom—Whitewood *hove* it into the cart, and Wolledge *stowed* it—this division is a quarter of a frame—(*pointing to the model*)—it is called six feet—the cart was driven out of the yard by Whitewood—I did not observe any money pass between him and Wolledge—I heard Mr. Ive say to Whitewood about some other wood he had purchased, the particulars of which I do not recollect, and he asked him about the wood in the cart, how much he had, he distinctly said, "Five feet"—Mr. Ive, I think, said, "No more," but the answer was so indistinct I could not hear—I was touching Mr. Ive, and Whitewood was not more than two feet from me—when I saw the wood thrown into the cart I sent Miller to Mr. Ive to tell him what I had seen—no conversation passed in my presence between Ive and Wolledge—Wolledge put up a foot of wood immediately after the frame was emptied—the wood was in a large stack previous to being framed.

COURT. Q. Did you tell the Magistrate that? A. It is not within my recollection.

Cross-examined by MR. PHILLIPS. Q. You do not remember whether you told the Magistrate that which you have told to-day, about the fact of the wood being put up, without being asked? A. No—putting that foot of wood in the frame made it appear that there had been but five feet taken from it—I consider it my duty to state all that I know—I am not prepared to say why I did not state it before the Magistrate—Mr. Ive was examined before the Magistrate in my presence—I cannot remember his looking now

and then at a paper when he was under examination—I do not recollect his handing me a paper while I was under examination—I swear I do not recollect any thing of the sort.

Q. Then am I to take it that if I've read from a paper himself and handed it to you, and you read from it, you forget it? A. I forget it—I will not swear it did not take place—it appears if it did happen, I have forgotten it.

Cross-examined by MR. CLARKSON. Q. Did you hear Mr. Ive, when talking with Whitewood, before he asked the contents of the cart, say that he had four frames of yellow wood? A. He said he had some quantity of wood, but I cannot say what—he said it was on float—Whitewood said, “Well, Master, if you have I should like to have it, if you will put it aside for me”—Ive said, “Whitewood, when do you mean to pay part of the debt you owe me?”—I do not know what the debt was—he might have said, “I don't know, times are hard; I have scarcely any thing to do, but as soon as it lies in my power I will pay you something”—I have no reason to disbelieve it—when Whitewood was asked what quantity he had got, he said, “Five feet”—Mr. Ive said, “Is that all?”—Whitewood gave an indistinct answer—I do not remember any paper at all—I do not remember having any paper at the Magistrate's—I have had a paper—I have seen the depositions lying in Mr. Ive's counting house—it was some time previous to this trial, it might be a week—I read them, but by no one's direction—I requested to see the date with regard to the time, that I might be correct in my memory—Mr. Ive handed me his deposition to read to myself—I read it more than once—I should think not so much as five or six times—I will not swear as to the number of times—Mr. Ive read it in my presence, not more than once—he read me the whole—I have had no paper in my possession upon the subject of this inquiry, except these depositions, or a copy of the dates—I first got a copy of the dates about four days back—it may be five—Mr. Ive gave it to me at my request—it contained the whole of what was deposed before the Magistrate, or nearly so—I never returned it to Mr. Ive—it is in my pocket—while I was put on the outside of the Court to-day a person came out to ask for it—I said, “I shall not give it up to any body but Mr. Ive,” and I took it out of my pocket, and looked at it—I read about half a dozen lines.

MR. ADOLPHUS. Q. Have you got that paper in Court with you now? A. I have—this is the only paper that ever I had respecting this affair—Mr. Ive wrote this paper—I do not know who came and asked me for this paper—he was a stranger—I did not give it to him—it may be five days since I first had it—my evidence at the office referred to three days—I did it to be able to give an answer to the Magistrate—I could not trust to my memory.

COURT. Q. Had you that paper at the police-office, given you by Mr. Ive while you were giving your evidence? A. No, not for a fortnight or three weeks since.

WILLIAM MILLER. I am in the service of the prosecutor. On the 10th of July I saw six feet of wood put into Whitewood's cart—Wolledge was in the cart, and Whitewood was throwing it up to him—he threw up six feet, which was a quarter of a frame—he *chucked* it out of the frame into the cart—I then went and told Mr. Ive how much was taken out of the frame, and then he came to speak to them—I was outside to get an officer—I gave them in charge.

JURY. Q. Did you see any wood put up in the place that this was taken from, before you left? *A.* No.

JOHN THOMAS TURNER. I am a constable of Deptford. Miller on the 10th of July, took me down to King-street, and gave Whitewood into my custody—I said, “Whitewood, I want you for having more wood in your cart than you ought to have”—he very civilly went back with me, and said he had six feet in his cart, that he had paid for five feet, and he was going to pay the boy for the other foot on the Saturday night, and he had 18s. 9d. on him—I asked him how it was, as he had so much money on him, that he had not paid for the other foot—he said he owed Odey 8s., and he would pay the boy on Saturday night.

Cross-examined by MR. CLARKSON. Q. Have you known Whitewood? *A.* Yes, ever since I have known myself—he has been a hard-working man—his wife has lately died—he has some daughters—he has always borne an honest character.

JOSEPH WYATT (*police-constable R 72.*) I took Wolledge into custody—I told him what for—he said he had done nothing wrong, he let Whitewood have six feet of wood, five he had paid for, and the other he was going to pay for on Saturday night—he might have said something else—he said he had done wrong in trusting him with a foot of wood when his master had given him orders to trust nobody—I took him to the station-house, but found no money on him—I searched in his counting-house—I found 11s. in silver, and 1½d. in copper in an open box—I do not know whose it was—the money was in this card-case.

Cross-examined by MR. PHILLIPS. Q. Is this the same money you spoke of in the last case? *A.* Yes—when I took him he asked me what he was taken for—Mr. Ive directed me to the counting house, in which I found the money in the boy's box. **NOT GUILTY.**

2178. SUSANNAH ROOK was indicted for stealing, on the 12th of August, 12 yards of printed calico, value 7s. 6d., the goods of Charles Long; to which she pleaded

GUILTY. Aged 18.—Confined Three Months.

2179. JOHN STEVENS was indicted for stealing, on the 26th of July, 1 jacket, value 2s.; and 1 pack of cards, value 2d.; the goods of John Robson.

JOHN ROBSON. I am a labourer and live at Lewisham. I lost a jacket and a pack of cards on the 24th of July—I saw them safe between ten and eleven o'clock in the tap room cupboard at the Bull public-house, and I missed them the next morning—these are them.

HENRY PROCTOR (*police-sergeant R 22.*) I found the jacket and the cards on the prisoner on the 25th of July, about two o'clock in the morning.

Prisoner. Let him tell you where I slept that night. *Witness.* I understood he slept in an out-house at the George public-house.

Prisoner. The man where I slept knows I had not them there; after I got up and went a few yards along the road I saw the jacket lying against an elm tree with a waistcoat in the pocket; I found a pair of shoes also.

GUILTY. Aged 28.—Confined Three Months.

Before Mr. Recorder.

2180. JOHN STEVENS was again indicted for stealing, on the 24th

of July, 1 waistcoat, value 1s.; the goods of William Smith; to which he pleaded

GUILTY. Aged 28.—Confined One Month more.

Before Mr. Common Sergeant.

2181. ANN HENLEY was indicted for stealing, on the 15th of August, 22 yards of printed calico, value 16s., the goods of Francis William Vant.

THOMAS DAVIES. I am apprentice to Francis William Vant, a linen-draper, High-street, Woolwich. On the 15th of August, about a quarter before ten o'clock, I was in the middle of the shop—I saw the prisoner come to the counter, draw this piece of calico off, and put it under her apron—she went out of the shop—I followed, and in running I found it at my feet—she must have dropped it—I am sure she took it out of the shop.

Cross-examined by Mr. PAYNE. Q. Where were you? A. I was about three yards from the pile of calico that she took it from—she could see me—I stopped her about eight yards from the shop—she had turned up an alley in High-street.

WILLIAM WILSON. I was in the shop, and saw the prisoner take a piece of calico out of the shop.

Cross-examined. Q. Do you know whether this is it? A. Yes, by the mark on it—I was standing behind the counter—I did not notice her face—she was soon after brought back—I believe she was the person who took it—I served her with some ribbon velvet which I should know again—this is it—(looking at it)—I am sure she is the person who took the calico—there were about five other persons in the shop.

MARIA HILL. I am the searcher at the station-house—I found this ribbon velvet on the prisoner.

GUILTY. Aged 47.—Confined Four Months.

2182. THOMAS OWEN was indicted for stealing, on the 15th of August, 4 pewter pots, value 6s., the goods of George Horsley.
(The witnesses did not appear.)

NOT GUILTY.

2183. WILLIAM FEARE was indicted for assaulting a constable in the execution of his duty.

GUILTY. Aged 25.—Confined Six Months.

2184. THOMAS FLYNN and JAMES CARPENTER were indicted for a like offence.

NOT GUILTY.

2185. THOMAS FLYNN was *again* indicted for a like offence.

GUILTY. Aged 52.—Confined Fourteen Days.

SURREY CASES.

Before Mr. Recorder.

2186. ROBERT HAYWARD was indicted for stealing, on the 11th of August, 1 spoon, value 12s.; 1 pair of ear-rings, value 1s. 6d.; 1 brooch, value 1s.; and 1 locket, value 1s.; the goods of Susannah Cennell.

SUSANNAH CENNEL. I lodge in High-street, Camberwell. The prisoner's brother also lodges there, and he occasionally staid with him—I had been out as monthly nurse, and returned on Tuesday the 11th of August, and found my room-door open—I believe I had left it locked—I found the room in a confused state, and missed the articles stated.

Cross-examined by MR. BALLANTINE. Q. Did the prisoner's father lodge at your house? A. No—the prisoner has lately come from sea—his mother has lately died, and his father is in a dying state—I have known him and his family thirteen years—there were much more valuable articles which he could have taken—I found every thing else right.

GEORGE GOODE (*police-constable R114.*) I took the prisoner on the 13th of August—Dawson, a pawnbroker was with him, and gave me a spoon, and said he had stated in his presence, as he was going over the heath with him, to ascertain whether what he said about the spoon was correct, that it was of no use to have any further trouble about it, that he had brought it from his father, and in taking him to the station-house he said he had not brought it from his father, but took it from a lodger—I found the ear-rings, brooch, and locket on him—he said they belonged to the same person as the spoon.

Cross-examined. Q. You did not hear from the pawnbroker what he asked for the spoon? A. I do not remember—I find he has borne an excellent character.

(*Property produced and sworn to.*)

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Ten Days.

Before Mr. Sergeant Arabin.

2187. ELIZABETH BARNES was indicted for stealing, on the 12th of August, 2 sovereigns, the monies of Thomas Newton; and that she had been previously convicted of felony.

THOMAS NEWTON. I am a plumber. I was repairing a house in Pearl-row, Blackfriars-road—the prisoner occupied a room above the one I was repairing—after I had done work we got into conversation, and went together to Austin-buildings, Friar-street, and had a room there—I paid 1s. for it—we were there a short time—I had four sovereigns in my right-hand trowsers' pocket—I went to the house twice with her—the second time I wrapped the four sovereigns in a piece of brown paper, and put them in my hat, which I put on the table—the prisoner took my hat up, and the paper rolled out on the floor—I picked up three sovereigns, and was going to pick up the other, and she kicked out the light—I called for another light, and the landlady brought it—I put the three sovereigns on the table, and took the light to look for the other, but could not find it—while I was looking she took another sovereign from the three—the landlady said, "Why don't you look after the money she is swallowing?"—at last one sovereign was found, concealed in her stocking, and the other she said she had swallowed—I had given her 1s., and gave her something to eat—I am a married man.

Prisoner. He said he would give me 10l. *Witness.* It is false—she invited me there—I made no bargain with her—I did not know what place it was—she asked me to come to a friend of hers, and have some tea—I paid 1s. for the room, and then saw what place it was.

MARY WALTERS. My husband keeps the house where this happened. I did not see the prisoner or prosecutor when they came—when he called I went into the room, and saw three sovereigns, one shilling, one penny, and two halfpence on the table; and while he was looking on the floor for the other sovereign, she took one from the table, and put it into her mouth—I afterwards saw the policeman find one in her stocking.

Prisoner. Q. Did you not sit drinking gin and water with the prosecutor? A. No—in the afternoon he brought a bottle of soda-water and ginger-beer in his pocket.

JOHN HUGHES. I am a policeman: I was sent for, and found a sovereign in her stocking—she said she had swallowed the other.

Prisoner's Defence. I know nothing about it.

JAMES PERRY. I am a policeman. I produce the certificate of the prisoner's previous conviction, from the Clerk of the Peace for Surrey—(read) I was present at the trial—she is the person who was convicted.

GUILTY.* Aged 36.—Transported for Ten Years.

Before Mr. Baron Gurney.

2188. JAMES BRENNAN was indicted for that he, on the 2nd of August, at Lambeth, unlawfully, maliciously, and feloniously did cut and wound Peter Anthony Cullen, in and upon the forehead, with intent to kill and murder him.—2nd COUNT, stating it to be with intent to maim and disable him.—3rd COUNT, to do him some grievous bodily harm.

MR. JONES conducted the Prosecution.

PETER ANTHONY CULLEN. I am a comedian. On Sunday evening, the 2nd of August, I went into the Coach and Horses public-house, Lambeth, and had two glasses of gin and water with another gentleman—I was returning home between half-past eleven and twelve o'clock, and was in High-street, on a parallel with Lambeth-walk—I was not affected with liquor when I went into the Coach and Horses—the prisoner was there while I was there—some of the company were talking about Ireland—one of them referred to me, and I jokingly replied, "I like Ireland," or "I like the boys, for I consider myself half an Irishman"—the prisoner addressed himself to me, and called me a b—— impostor, or something, and I said he was a dirty carpenter for swearing—I afterwards called for liquor, for the purpose of making peace, but the landlord refused to serve it, and I left the house instantly, at his request—after leaving I saw two persons opposite, and spoke to them—as I walked direct towards my own home, I heard a footstep by the side of me, and the prisoner, on the instant, struck me on the front of my head, and I fell—I had my hat on—I lost my senses—when I came a little to myself I was in a doctor's shop, but lost myself again after that, and found myself in bed at my lodging.

Cross-examined by Mr. PHILLIPS. Q. Had you known the prisoner before? A. Never—I never had any quarrel with him.

JAMES REED. I am landlord of the Coach and Horses public-house. I remember Cullen and the prisoner being at my bar—Cullen came in about twenty-five minutes to twelve o'clock—I heard a conversation between him and the prisoner—when Cullen called for a glass of porter I drew it him, and while he was waiting, at the end of the bar, the prisoner came out of the tap-room—Cullen said, "Oh, here is an Irishman; I am half an Irishman myself; I like the boys very well, but I don't like the bogs"—the prisoner said he was no Irishman, but an impostor—Cullen said he did not care for any Irishman, he did not care for Daniel O'Connell—the prisoner got into a passion, and tried to strike him—Cullen called him a dirty carpenter—I got in between them, and said I would have no fighting there, and would be obliged to the prosecutor to go home—I got him out, and told him to go home—some time after the prisoner went out, and was standing at the door, and one or two on the other side of the way were there, talking—I afterwards heard the cry of police, but did not see the prosecutor nor prisoner—(looking at a poker)—I have lost a poker out of my kitchen—I first missed it as soon as I heard that the prosecutor had been

knocked down with a poker—this might be mine—I believe it is, but I never go into the kitchen—I do not know what sort of poker I had in the kitchen, but we missed it that night.

Q. You have been examined before, look at it, do you believe it to be your poker, or not? **A.** I believe it might be, but I cannot say.

COURT. Q. Have you any belief on the subject? **A.** We lost a poker of that description—Cullen was the worse for liquor, and I believe the prisoner was not so—he did not appear so to me—neither Cullen nor the prisoner were in the kitchen, to my knowledge—it is five or six yards from the bar—the guests do not go there—it is beyond the tap-room—a person can go to it from the tap-room very easily.

JURY. Q. How long before the prisoner, did Cullen leave your house? **A.** I should say seven or eight minutes.

ABSALOM ADAMS. I am a builder and carpenter, and live in Prince's-row, Lambeth. On Sunday evening, the 2nd of August, I saw Cullen directly opposite the Coach and Horses public-house—he made an application to me—after that, I saw the prisoner raise his arm, and strike Cullen with something, and he immediately passed by me, flourishing this poker in his hand—I never lost sight of him till he was apprehended—Cullen dropped like a man shot—I said to the prisoner, “You d—d villain, you have murdered the man”—Cullen bled very much—I assisted in taking him to Mr. Thompson, the surgeon, and caused the prisoner to be secured—I saw the poker produced directly afterwards.

GEORGE KIDNEY. I am a policeman. I was on duty in Broad-street, Lambeth, on the 2nd of August, and saw Cullen and the prisoner—by the shade of the lamp I saw Cullen fall (as I was walking on my beat) on the pavement, and the prisoner run away—I pursued him down the street—he was turned back by a person—I tripped him up, and in falling, he dropped this poker, which I have had ever since—Cullen appeared a little intoxicated, and lay on the pavement—he was taken to the doctor's—I got this hat at the doctor's—it is cut—as the prisoner rose off the ground, I laid hold of him, and said, “You villain, what do you mean by this?”—he said, “I will kill the b— lot of them”—I said, “If you don't be quiet, I shall give you what you have not had yet,” and then he went quietly with me.

P. A. CULLEN re-examined. This is the hat I had on.

WILLIAM THOMPSON. I am a surgeon, and live in Lambeth-walk. On Sunday night, the 2nd of August, Cullen was brought to my house between twelve and one o'clock—he was literally covered with blood—on examining him, I found an extensive wound from the left protuberance of the forehead, extending down to the inner angle of the eye—it was as if it had been grooved—it was cut directly through, and the outer plate of the skull was as if you had taken a saw and made a groove in it—part of the bone was coming through the orifice—I washed him and sent him home—I attended him—inflammatory symptoms arose in about thirty-six hours, and he had erysipelas in the face, all over—his life was undoubtedly in danger—it was such a wound as might have been inflicted by this poker—I considered his life in danger for about a week—I have attended him till the present time—the wound is not perfectly healed now—in my judgment, if he had not had his hat on, the wound would have produced instant death—I have no doubt of it.

GUILTY on 3rd Count. Aged 39.—Transported for Twelve Years.

Before Mr. Recorder.

2189. WILLIAM MULBERRY was indicted for stealing, on the 6th of July, 2 shillings, the monies of Thomas Alford, his master.

GEORGE REECH HUNT. I am clerk to Mr. Thomas Alford, of Cumberland-row, Newington-butt. The prisoner was his servant, and was in the habit of going to Mr. Miller, of Lant-street, Southwark, a horse-hair manufacturer—we send him with a printed order for a certain quantity of stuff to be sent by him—he has to bring the order back, signed by Miller, as executing the order—on the 6th of July I sent him for some stuffing, and gave him 4s. to pay for it—when the orders are brought back receipted, they are always torn up—I gave him 4s. to bring 1 doz. of stuffing—I gave him 4s. for one dozen; it seems he only brought half-a-dozen.

WILLIAM STEPHENS. I manage the business of Mr. Miller, of Lant-street. On the 6th of July the prisoner came to the warehouse, and asked for 6lbs. of stuffing, at 4d. a pound, which I supplied him with—he said he only wanted that to-night, as the men had a job to finish early on Monday morning—I never saw any paper, nor signed any—he always came with the money, and it was put down in a petty cash-book.

G. R. HUNT *re-examined*. The prisoner must have signed the order himself, instead of Miller—they are destroyed, but I have found part of one—here is “W. Stephens” on this—I have not found the order relating to these goods—the prisoner always brought them back signed.

JURY. Q. Does the stuff come to your premises? A. Yes—I did not examine them, as he always took it up to the trimmers—I do not know the prisoner’s writing.

JOSEPH CLERK (*police-constable L 157.*) I apprehended the prisoner at his own house—I said, “You know my business very well”—he said, “Yes, I don’t exactly know what it is”—I told him it was for stealing horse-hair from his master.

NOT GUILTY.

2190. WILLIAM BURNS was indicted for burglariously breaking and entering the dwelling-house of Angel Boxsius, about the hour of four in the night of the 16th of July, with intent to steal, and stealing therein 1 punch-ladle, value 5s.; 2 spoons, value 3s.; 1 coal-scuttle, value 10s.; 1 stew-pan, value 10s.; 1 kettle, value 5s.; 1 coat, value 1l.; 1 pair of boots, value 10s.; 1 handkerchief, value 2s.; 6lbs. 6oz. weight of beef, value 3s.; and 2 loaves of bread, value 6d.; the goods of Angel Boxsius; 2 coats, value 1l. 5s.; and 1 hat, value 5s.; the goods of Jacob Boxsius: 2 coats, value 13s.; and 1 pair of trowsers, value 5s.; the goods of William Smith.

ANGEL BOXSIUS. I live at No. 50, Bridge-house-place, Newington-causeway, in the parish of St. George the Martyr. The prisoner was in my service for four years, and left about two years ago—on the 16th of July I went to bed about eleven o’clock—the house was quite safe, and fastened—I occupy the whole house—I was called up next morning between six and seven o’clock—the boy who attends to the horses was the first person up—I came down, and noticed the grating of the area was forced away from the brick-work of the wall—I lost a horse and cart, and harness, from the stable, and from the kitchen a copper stew-pan, a tea-kettle, and coal-skuttle, some silver spoons, a silver punch-ladle, and different articles, some ribs of beef, and two quartern loaves—the person had got in over the gate at the back, and then through the grating into the

kitchen— they could then go all over the house—I also lost two coats and a hat belonging to Jacob Boxsius, my son, and two coats and a pair of trowsers belonging to William Smith; they were all safe about eleven o'clock over night—on the 17th of July, between seven and eight o'clock in the evening, the officers took me to where I saw my horse and cart, and harness—I have found the coats, coal-scuttle, and other articles, in pawn.

JOHN BARRS. I keep a livery-stable in Suffolk-mews, Middlesex Hospital. The prisoner came to me with a horse and harness, on Friday the 17th of July—he said he had brought the horse from Mr. Harris, I was to give it a feed of corn, and a good clean, and his master would be there in half an hour to ride him with the saddle—he took the harness away with him—I suspected, and followed him into Charlotte-street, Rathbone-place, to Attenborough's, a pawnbroker—I went into a private box, and communicated my suspicions to the shopman—a policeman came and took him—in the afternoon of that day I saw a cart in Well-street without a horse—I took it to my stable—Mr. Boxsius's name was on it—I showed the horse, cart, and harness to Angel Boxsius's the same evening, and gave them up to him.

WILLIAM HENRY WOOD. I am shopman to Mr. Attenborough, a pawnbroker, in Charlotte-street, Fitzroy-square. The prisoner brought a harness to our shop, and said he brought it from Mr. Harris's, No. 8, Norfolk-street—I could find no such person there—I fetched a policeman—he had got a piece of ribs of beef, and part of a loaf, and was tying it up.

JAMES PORTER (*police-constable P 1.*) I was called to Attenborough's shop on the 17th of July, and found the prisoner there—Barrs stated about the harness—I cautioned the prisoner as to what he should say, as it might be given in evidence—I asked where he got the harness from—he made no answer—I took him into custody—in searching him, I found a portion of a silver punch-ladle, a silver mustard-spoon, a thimble, four duplicates, 20s. 4d. in silver, and 3d. in copper—I saw a bundle lying down—I asked him what it was—he said that belonged to the same—I opened it, and found a large piece of beef, part of a loaf, and a white knife, and the coat on his back he said belonged to the party—I went back, and got the horse, and after I got back to the station-house we had received information of this robbery—on the way to the police-court I said to him, “It appears by the information there is a cart stolen”—he said, “Yes, I left the cart in a street not far from where the horse stands”—I gave information to the prosecutor—the cart was found in Adam-street.

JAMES AVELING. I am a *cab-driver*, and live in Wood's-place, East-lane, Walworth. On Friday morning, the 17th of July, about a quarter to five o'clock, I was in the rank at Stone's-end, Borough, and saw Mr. Boxsius's gates open, and a cart come out—then the horse came out, and the harness, which was put on the horse, and driven away—I could not swear to the person—I thought it was one of Mr. Boxsius's own men—he drove off.

RICHARD TEBBS. I am shopman to Mr. Aldous, a pawnbroker, in Berwick-street, Soho. I produce two coats and a stew-pan, pawned on the 17th of July, about half-past eight o'clock in the morning, by the prisoner; also a coal-scuttle and tea-kettle, pawned by him, in the name of John Boxeye—when he went away I saw he had a horse and cart—he

got into the cart—I have seen the horse since outside—I believe it is the same.

ANGEL BOXSIUS *re-examined.* These articles are mine.

JACOB BOXSIUS. I live at my father's house. This coat is mine—I missed it on the 17th of July.

WILLIAM SMITH. I am the prosecutor's servant. I fastened the house up about half-past nine o'clock—I got up at a quarter to seven in the morning—I found the back door unbolted, but I could not open it—I went and called the young man—he opened it—I found the grating removed—I went into the kitchen, and my master was called.

Prisoner's Defence. I was lodging in the Mint; a man got up about four o'clock in the morning, and asked me if I would have a job, and he would give me 2s. for a few hours, and to meet him at the Running Horses public-house, Blackfriars-road, at half-past six o'clock—I met him there, called for a pint of ale, and drove off to the west-end of the town—at half-past eight o'clock he took the bundle out of the cart, and pawned the things; he gave me a coat, and told me to take the horse and put it into a livery stable; I did so; I returned; he told me to go and ask the pawnbroker's to take in a lot of good second-hand harness; I went, and he said he could not tell till he saw it; I took the harness to him, and he gave me in charge; in the coat pocket was a lot of silver and the tickets; the rest of the money I got from pawning my watch, and selling my coat.

JURY to ANGEL BOXSIUS. Q. Had you the same horse when the prisoner lived with you? A. Yes—he knew it.

GUILTY.** Aged 19.—Transported for Life.

Before Mr. Common Sergeant.

2191. MARY ANN GINN was indicted for stealing, on the 17th of August, 1 pair of shoes, value 8s., the goods of Joshua Arding.

SARAH ARDING. I am the wife of Joshua Arding, of Union-street, Borough. On the 17th of August these ankle shoes were at the door inside, on the rail—I saw them safe in the morning, and missed them at night.

Prisoner. Q. Did you see me that day? A. To the best of my knowledge, you came into the shop with some boys.

JOSHUA ARDING. I did not see the robbery, but I swear to the shoes.

WILLIAM ARMAN. I am a policeman. I met the prisoner on Tuesday, the 18th of August, between nine and ten o'clock in the morning, with something rolled up in an apron—I asked her what she had got—she said, her husband's shoes, and was going to pawn them—I said, "How much did your husband give for them?"—she said, "9s. 6d., and if you go with me, my husband will go with you to the shop where he bought them, in Union-street"—I went with her, and her husband was in bed—he put his clothes on, and jumped through the window, and made his escape—I took the prisoner in charge—she lives with a notorious character.

NOT GUILTY.

2192. JAMES HINKLEY was indicted for stealing, on the 18th of August, 1 handkerchief, value 3s., the goods of Edward Doughty, from his person.

EDWARD DOUGHTY. I live in Brunswick-crescent, Cold Harbour-lane, Camberwell. On the 18th of August I was at Camberwell fair, and used my handkerchief—I put it into my pocket—I soon after found the pri-

soner's hand in my pocket—I caught hold of it—the handkerchief was in his hand, inside the pocket—he tugged his hand out, and ran away—I did not pull his hand out, I put my hand outside my pocket, and felt his hand—he pulled it out, and the handkerchief with it, and ran away with it—I followed, and missed him two or three minutes, and caught him down by Richardson's show—I said, "You have stolen my handkerchief"—he said, "I have not," and I found it in his pocket—this is it—(*examining one.*)

Prisoner. Q. You did not see my hand in your pocket? A. Yes, I did.

Prisoner's Defence. I picked the handkerchief up, and had it in my hand; he came and pursued me—I said, "If that is your handkerchief, here it is"—he let me go, and the policeman came and took me.

(The prisoner received a good character.)

GUILTY.† Aged 12.—Transported for Ten Years.—Parkhurst.

Before Mr. Sergeant Arabin.

2193. WILLIAM JONES was indicted for stealing, on 5th of August, 4 shillings, 1 sixpence, 24 pence, and 24 halfpence, the monies of William Hicks; to which he pleaded

GUILTY. Aged 16.—Confined Six Months.

2194. JOSEPH WATTS was indicted for stealing, on the 31st of July, 1 cheese, value 3s., the goods of Thomas Cadbury; to which he pleaded

GUILTY. Aged 40.—Confined Three Months.

Before Mr. Common Sergeant.

2195. JOSEPH SHEPHERD was indicted for stealing, on the 1st of August, 1 pail, value 1s., the goods of Angelina Pope.

ROBERT TYLER. I am gardener to Angelina Pope, who lives at Camberwell. On the 1st of August I heard a pail rattle—I went to the door and saw the prisoner walking away with this pail, which is my mistress's, on his shoulder—he said a man told him to get it, and said the man was waiting at the gate—I went down with him, and there was no such thing—he had to go about sixty yards up from the road to get it.

GUILTY.* Aged 12.—Confined Six Months.

2196. JAMES BRADBURY was indicted for stealing, on the 7th of August, 1 pair of boots, value 7s., the goods of John Henderson.

THOMAS HENDERSON. I am the son of John Henderson, a shoemaker, in Queen's Head-row, Newington Butts. On the 7th of August, I received information from my brother—I went out and saw the prisoner about four doors off—I found under his coat this pair of boots, which are my father's—they had been hanging on the jamb of the door outside.

JOSEPH HENDERSON. I am the witness's brother. I was going to school—I turned and saw the prisoner cut the boots down and put them under his arm.

Prisoner's Defence. I have very bad fits, and am not right in my head.

GUILTY.* Aged 23.—Confined Three Months.

2197. MATTHEW BRYAN was indicted for stealing, on the 9th of July, 1 watch, value 3l. 5s.; and 1 watch-key, value 15s.; the goods of Henry Charles Swain; and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 16.—Transported for Seven Years.

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2198. THOMAS KERSEY was indicted for stealing, on the 9th of August 1 axe, value 3s., the goods of Charles Piseley.

CHARLES PISELEY. I am assistant keeper of Richmond Park. I lost an axe from the plantation on Sunday the 9th of August—this is it—I saw it safe on the Saturday morning.

GEORGE BERRYMAN (*police-constable V 130.*) I took the prisoner on the Sunday morning at half-past eight o'clock, in High-street, Wandsworth, with this axe under his arm—I asked what he was going to do with it—he said he was going to work at Greenwich Park.

Prisoner. I met a man with it at five o'clock on Sunday morning—I said, "Halloo, hand me that axe," and then I met this officer—I was not obliged to tell where I got it.

GUILTY. Aged 69.—Confined One Month.

2199. JOSEPH GREEN was indicted for stealing, on the 7th of August, 1 pair of trowsers, value 14s., the goods of Joseph Knowles.

JOSEPH KNOWLES. I am a pawnbroker, and live at Newington. On the 7th of August these trowsers hung on a wooden-horse inside the shop door—I missed them at a quarter-past four o'clock—in consequence of information I went in pursuit, and saw the prisoner and two others—the prisoner had a parcel under his arm—I took hold of him and asked what he had got—he said it was no business of mine—I found these trowsers in a pocket handkerchief—these are them—(*looking at them.*)

MARY WARREN. I live opposite Mr. Knowles's. I saw the prisoner take the trowsers from the door and put them under his arm—two others joined him.

Prisoner. I was not near the shop—I was going down a turning towards Kennington Common—I saw them on the ground—he asked me what I had got—I said, nothing belonging to him—he said yes, I had a pair of green trowsers, and at the station-house he said it was a pair of drab trowsers.

JOSEPH KNOWLES *re-examined.* I said at the moment that they were green, because they had been both together, but it was not the green ones that were taken.

GUILTY. Aged 22.—Confined Four Months.

2200. JOHN SMITH was indicted for stealing, on the 6th of July, 1 coat, value 3l., the goods of Joseph Bowler; to which he pleaded

GUILTY. Aged 46.—Confined One Month.

2201. HANNAH HOOK was indicted for stealing, on the 9th of June, 1 blanket, value 3s.; 1 counterpane, value 3s.; 2 pillows, value 8s.; and 2 pillow-cases, value, 1s.; the goods of James Wright.

MARTHA WRIGHT. I am the wife of James Wright; we live in Bermondsey-square; the prisoner lodged at our house. On the 9th of June I missed these articles—they were in the room where the prisoner and her husband lodged—these are them.

FREDERICK GROSE. I am shopman to a pawnbroker. I produce the pillows which I took in of a woman in the name of Ann Shelton—this is the counterpart of the duplicate.

ROBERT DEIGHTON. I am shopman to a pawnbroker. I have a blanket and a counterpane, pawned by the prisoner on the 9th of June and 8th of July—she was alone.

GUILTY. Aged 30.—Confined Nine Months.

(There was another indictment against the prisoner.)

2202. WILLIAM CHARRINGTON was indicted for stealing, on the 31st of July, 18 pairs of stays, value 2*l.*, the goods of Robert Gay.

MARY HANCOCK. I am the niece of Robert Gay, who lives in Free School-street, Southwark. These stays are his—I saw them safe at five o'clock in the morning on the 31st of July, and they were missed at nine o'clock, from the table in the shop—(*examining them*)—these are them.

JOHN JOHNSON. I am an officer of the Town Hall. On the 31st of July, I was in Church-street, Southwark, near Mr. Gay's house—I saw two persons running with a bundle—it was dropped—I ran and took the prisoner, and had a scuffle with him—the other escaped—I am sure the prisoner was one who was running, and either he or the other dropped the bundle—this is it.

JOHN SLADE. I was with Johnson—I saw the prisoner run—he dropped the bundle—the officer said, "Aid and assist"—I took it up—the officer had a fight with the prisoner.

ROBERT GAY. I lost eighteen pairs of stays on the 31st of July—these are them.

Prisoner's Defence. I never dropped them—I heard of a place of work, and was going to it—another man passed me, dropped them and ran away.

GUILTY.* Aged 23.—Transported for Seven Years.

2203. WILLIAM BELCHER and EDWARD HILL were indicted for stealing, on the 6th of August, 22 yards of calico, value 9*s.*, the goods of John Collier.

JOHN COLLIER. I am a linen-draper, and live in White Hart-place, Kennington-cross. On the 6th of August this calico was safe at nine o'clock in the morning, and I missed it between ten and eleven—it was taken out of the window by a square of glass being broken—it looked as if it had been done by a nail under the putty—it was broken sufficiently to take it out.

JAMES BROOK (*police-constable L 118.*) I was on duty on the 6th of August—I saw the two prisoners pass backwards and forwards several times by the prosecutor's shop, and each time they touched the glass—after I had watched them for some time, I saw Belcher take out this calico, and give to Hill—I took Belcher, and another person took Hill.

(Hill received a good character.)

BELCHER—GUILTY. Aged 14.—Confined Three Months, & Whipped.

HILL—GUILTY. Aged 16.—Confined One Month.

2204. MARY BENSON was indicted for stealing, on the 15th of August, 1 gown, value 1*s.*; and 1 shift, value 1*s.*; the goods of William Higginbotham.

JAMES YOUNG. I am shopman to William Higginbotham, of New Cut, Lambeth, a pawnbroker. On Saturday evening the 15th of August, the prisoner came with some pledges, and when she was gone I missed a gown and shift—I have not seen them since—I went that evening to the prisoner's house—she asked what I wanted—I said I wanted her—she said, "What for?"—I said, "For taking the articles from our shop"—she said she had not been there—I said she had—she then said she had been to our shop in mistake for another pawnbroker's—we searched her room, and found this wrapper, which corresponds with the one the articles were in—

she had no gown on when we got in, and she put a gown on which it is my belief is the one she took from us.

THOMAS RICKHAM. I was at the prosecutor's shop, and saw the prisoner there, and there was another young man in the shop—the prisoner said to him, "If I take this parcel, will you tell?"—he said, "No, I won't"—it was a gown tied up in a wrapper like this—she then took up the parcel, put it under her shawl, and walked out—I told the shopman.

Prisoner. He is one of the biggest *prigs* in the Cut—that is what the people say of him—he came without shoe or stocking to swear this.

Witness. I work with my father who is a shoemaker—I never was taken up.

JOHN SUTTON (*police-constable L 92.*) I went to the prisoner's lodgings, and found this wrapper—she was in the act of putting on a gown, which was hanging on a chair, and this wrapper under it, which had the marks of the folds in it, as if it had been wrapped round the gown.

(The prisoner received a good character.)

GUILTY. Aged 44.—*Recommended to mercy by the Jury.*

Confined Three Months.

Before Mr. Sergeant Arabin.

2205. **MARY SMITH** was indicted for stealing, on the 28th of July, 1 buckle, value 10s.; 1 spoon, value 3s.; and 2 petticoats, value 3s.; the goods of Ann Williams; to which she pleaded

GUILTY.* Aged 38.—Transported for Seven Years.

Before Mr. Recorder.

2206. **PHILADELPHIA JONES** was indicted for stealing, on the 11th of July, 1 bag, value 1s.; 38 sovereigns, 9 half-crowns, 3 pence, and 4 £5 notes; the property of Elizabeth Palmer, from her person.

MR. ESPINASSE conducted the Prosecution.

ELIZABETH PALMER. I am a widow, and reside in Crossfield-lane, Deptford. On the 9th of July I received 6 5*l.* notes at the Bank, on the 11th of July I went by the *Star* steam-boat from London-bridge to Gravesend—I had with me four of those 5*l.* notes, which I put into a black satin bag—the notes which I received were Nos. 59223 to 59228, inclusive, and those I had when I went to Gravesend were 59223 to 59226—the other two notes I have now—I put also in my bag thirty-eight sovereigns, nine half-crowns, and three pence—I put the bag in my left-hand pocket—I had it safe when I left my house, and I never put my hand in that pocket again—when I got on board the steam-boat I went into one of the cabins on the deck, and remained there during the whole time I was going to Gravesend—when I first went into the cabin I saw a gentleman and a lady there—the gentleman left, and the lady remained in the corner on my left-hand side—she was dressed in black—a gentleman came into the cabin just before the voyage was finished—I saw the prisoner come into the cabin once or twice; and what first attracted my notice was her conversation with the person who sat on my left-hand—the prisoner said, "It is a shocking thing, I hear he was found dead in his bed," and the female said, "Oh, no, he was not found dead in his bed, he died either in his mother's arms or his sister's"—the female in black then said to me, "Did you know Mr. Forrester, Ma'am?"—I said, "No"—she

then said that he had died the week before, that he was one of the theatricals at Gravesend, and that he was the friend for whom she was in mourning—after that the prisoner went and sat on the other side of that female, the further side from me—I should think she sat there a quarter of an hour—when I was giving my ticket to go out of the steam-boat, I put my hand down to my pocket and missed my bag—that was before I left the boat—the notes and money were all gone—they had been tied tightly up in the bag—I returned to London and gave information of the robbery—I saw the prisoner again on the 31st of July—she was then dressed in a different manner, and from her not having on a black bonnet, which she had on board, I was not positive that she was the person who was on board, till she had on a black bonnet, which she had at the second examination—I am quite positive she is the person.

Cross-examined by Mr. PHILLIPS. Q. When she was brought up first could you then identify her? A. Not distinctly—I said I could not positively say, but I had seen her—I was very much agitated—I acknowledged to the Magistrate that I had seen her—I cannot swear that I did not say that I could not identify her—as far as I can judge, when she was on board the steam-boat, she had the same shawl on that she has now—she had a black sarsnet bonnet on, I am quite sure—I cannot swear particularly to any other part of her dress—there is in general a great crowd of persons going out of the steam-boats, but I went down in the steersman's cabin, and took my parcel—there was not a crowd going out at the time I did—I missed my money at the time, and I was so agitated that I really do not recollect how many were going out—I might leave fifty persons behind me, and a great many had gone out before.

Q. Did you ever say you were positive that the prisoner was not the person? A. No, I never said that—I have seen a Mr. Taylor, a hair-dresser—the prisoner lodged at his house—the officer had some conversation with Mr. Taylor, but I do not recollect speaking to him—I never said to Mr. or Mrs. Taylor, or to any one, that the prisoner was not the person—I said to Mrs. Taylor that I believed, from the position in which the prisoner sat in the cabin with me, that she was not the person who took the property from me—the woman who was in black sat on my left hand, and the prisoner was in conversation with that woman.

Q. After you had seen the prisoner, did you go to see if you could identify another party as being the person who took your money? A. I did—as a person recommended by Mrs. Taylor—that was Mrs. Hayward—I said in her present dress I could not swear to her—the person who sat by me on board the steamer had a thick black veil on, but I could see her features.

MR. ESPINASSE. Q. Was it to identify that other person as being the lady in black, that you went to her? A. Yes—I have not the least doubt of the prisoner being the woman who came into the cabin—I went down to the stewardess for my box, and there was no crowd pressing on me when I missed my bag.

WILLIAM WARREN. I am in the service of Messrs. Withers, grocers in Blackfriars-road. On the 14th of July, the prisoner came to my employer's shop, and purchased grocery to the amount of 3s. 9½d.—she gave in payment a £5 note—I put it into the desk by my side—I wrote on it, "Jones, 25, Lambeth-row," which was the address she gave me—I

am not aware that there was any other address on it—this is the note, (*looking at it,*) and this is my writing on it.

Cross-examined. Q. Had you known this woman before? A. I had not seen her before, that I am aware of—I cannot exactly say how she was dressed, but the shawl she had on was somewhat like the one she has on now—I may have seen other shawls like it—she had a light-coloured bonnet on—I did not ask her Christian name—I have been to where she gave the address, and could not find it—there are only twenty-four houses in the row—it was between eight and nine o'clock in the evening when she came—the gas was lighted—there was no one else in the shop—I should think she was there nearly five minutes—I was serving her with sugar and tea.

Q. Had you any conversation with any of the Taylor family? A. Yes—I did not ask either of them whether the prisoner had not a gown of a brighter colour than the one she had on—I did not ask any questions about her gown or dress—Mrs. Taylor mentioned to me something about her.

HENRY JOHNSON. I am a grocer, and live in Blackfriars-road. The prisoner came to my shop on the 16th of July and purchased about 6s. worth of grocery—she gave me a 5*l.* Bank of England note—she gave me her address, “Jones, No. 25, Lambeth-row”—I put it on the note—there was no other address on it—I am quite certain this is the note—(*looking at it*)—there was no other person in the shop—I took notice of her, as we always do of strangers—I have not any doubt that she is the person.

Cross-examined. Q. What time was this? A. Between two and six o'clock in the afternoon—I cannot fix the time any closer—it was after my dinner hour—I do not think I had ever seen the prisoner before—she was in the shop five or ten minutes at most—she had something of a white or a light-coloured bonnet on—I did not notice her gown—I cannot say whether there were flowers or a feather in her bonnet.

GILBERT ALLUM. I am a clerk in the Bank of England. On the 9th of July I paid two dividends to Mrs. Palmer—I paid her six 5*l.* notes, from No. 52,223 to 59,228—these four notes, (*looking at them,*) are four of those I paid her—they are the two produced by the two last witnesses, and two others.

THOMAS PHILLIPS. I am a clerk in the Bank. I produce four 5*l.* notes, Nos. 59,226, 25, 24, and 23, dated the 1st of June, 1840—they were paid into the Bank on the 21st, 24th, and 27th of July.

GEORGE SELWOOD. I am an officer. I apprehended the prisoner—I found her in the privy in the yard at No. 22, Old-street, which I think is a mile and three quarters from Blackfriars-road—I went in the morning first, and inquired for her, and they said she was not at home—I went again in the evening with Warren, and she was then denied again—I took Warren into the yard, and he identified her there—I said I wanted her, and Warren said, “That is the woman that gave me the 5*l.* note.”

Cross-examined. Q. Are you sure that was what Warren said? A. Yes—the prisoner said she was denied because she expected a summons for some money she owed—I knew her before—I do not know how long she had lived in Old-street—it is at a common hair-dresser's shop—I should think it would be a cheap lodging.

ELIZABETH PALMER *re-examined.* Q. Where did you go to see the woman as being likely to be the party dressed in black, who was on board

the steam-boat? *A.* It was in a road leading to Paddington, after you pass Finsbury-square—Mrs. Taylor's daughter directed me there.

For the Defence, Mr. BODKIN called,

ELIZABETH TAYLOR, JUN. I live with my father, a hair-dresser, at No.22, Old-street. The prisoner lodged at our house for about ten weeks—she supported herself by making willow bonnet-shapes—she appeared to be very poor—I remember the 11th of July—she was at home that day—I saw her between ten and eleven o'clock in the morning, she came down and shook her carpet in the yard—I saw her again in the passage about two o'clock that afternoon—I did not know her before she lived at my father's.

MR. ESPINASSE. Q. Has your father a large shop? *A.* No—it is not one of the fashionable shops—he has one man in his employ—there are six rooms in the house—the prisoner paid 3s. 6d. a week—the 11th of July was on a Saturday—I remember that day, because the young man had a quarrel with my mother between ten and eleven o'clock in the morning—his name is Robert Lear—he went away on the Monday after—this quarrel took place in our parlour, on the ground floor behind the shop, and I saw Mrs. Jones in the yard behind the parlour—there was no one in the room besides my mother, the journeyman, and me—I recollect it was between ten and eleven o'clock because my mother was going to market, and she always goes to market between ten and eleven on Saturday—that is the only way I have of ascertaining the hour—my mother and the men had been quarrelling about a quarter of an hour—it was my mother's usual time of going to market—the prisoner did not shake her carpet every day, only on Saturdays—I met her in the passage about two o'clock that afternoon—I know it was that time because I was just clearing the dinner things away—two o'clock is our dinner hour—we are generally a quarter of an hour at dinner—it must have been after dinner that I saw her—I do not know what made me observe her particularly—I remember meeting her in the passage that afternoon, because she asked me if I was not well, and I told her "No" I had got a head-ache—I did not see her between ten and two o'clock, I believe she was up stairs—I went with Mrs. Palmer to a Mrs. Hayward in Brick-lane—I did not tell Mrs. Palmer, nor did my mother, that if she were to go there she would see the person who sat next her—Mrs. Palmer asked who came to see Mrs. Hayward—I said, "No one but her sister-in-law"—I took her there last Tuesday week, after the prisoner had been taken up, to see whether that was the person who sat next to her—Mrs. Hayward lodged at our house, and went away on the 17th of July—she was lodging in our house on the 11th of July.

COURT. Q. What is there to make you recollect the prisoner shaking her carpet on that day more than any other? *A.* Because I had just washed the yard, and she shook her carpet over the clean yard, I was cross about it—she generally shook it in the yard, but she did not come down to shake it that day before I washed the yard, which was between ten and eleven o'clock—the prisoner usually wore a light-coloured bonnet—I never saw her in a black bonnet—Mrs. Hayward had a black bonnet—they never lent each other their clothes—I never saw Mrs. Jones with any of Mrs. Hayward's things on—nor Mrs. Hayward with any of Mrs. Jones's—they occupied rooms on the same floor, and were intimate—Mrs. Hayward's sister did not come often there—I cannot say how lately before the 11th of July I had seen her—Mrs. Hayward was at home on the 11th of July—I saw her in the afternoon at

three o'clock—she came down stairs with a pail—I did not see her before three o'clock that day—she is a widow, and wears a crape bonnet—not a black sarsnet—when I took the persons to Mrs. Hayward's sister I did not show them Mrs. Hayward—she had left on the 17th of July—she is gone to live in Brick-lane—the prisoner was apprehended on the Thursday week after the 11th of July—Mrs. Hayward was gone at that time—I did not point out Hayward, who wore black, to Mrs. Palmer.

ELIZABETH TAYLOR. I live in Old-street. I remember Saturday, the 11th of July, because I went up to make a remark to the prisoner between ten and eleven o'clock in the forenoon, and I saw her at home—she was in and out that day—she came to warm half a pint of beer in the evening, about nine o'clock—I went up stairs between ten and eleven o'clock that day, because a lodger was about moving out of a room, and she objected to move out till twelve o'clock at night—I had let the room—I went to the prisoner's room, and made a remark to her.

MR. ESPINASSE. Q. How do you know it was between ten and eleven o'clock? A. Because our water comes on at that time—I went up to apprise the lodgers of the time I wished them to go, because the person who now occupies the room had brought a table—I know I went up between ten and eleven o'clock, because it was the time the water came on—I do not look at a watch to know the time it comes on, but I go and fill my butts—the prisoner had lodged with me from May last—she was rather back in her rent when she commenced the willow bonnet business, and I said, “You are playing with my money,”—she said when she had sold her bonnets she would pay me—when she was taken she owed me going on for a fortnight, but she had sold her bonnets, and settled with me—she sent her little girl down to my daughter with a week's rent—she did not pay me on the 11th, but on the Tuesday following—that was after she had sold her bonnets, she paid me 3s. 6d.—I know Mr. Shackell, the inspector—I went to him about my rent after the prisoner was in custody, and he, knowing me so long, said if I had got any property I should keep it till I was paid—I had got some willow shapes—nothing was said about any 5l. notes at any time—I only asked Mr. Shackell if I could detain any property, and that was some willow shapes—her clothes would not fetch 9d.

Q. Did you say you were sorry that the officer did not apply to you? A. I did certainly, for he went to my neighbours, and asked if the woman could scale the wall, and said I had a thief—I went out, and said, “What can be the cause of this?”—from eleven o'clock in the morning, when he first came, the woman could have moved before seven in the evening, when he came again.

Q. Did you say that you could have put him upon them, that they were a bad lot, and a set of swindlers? A. No—I said, “Why did you not take the daughter and a young man?”—I meant a daughter that the prisoner had there, and Mr. Selwood told me that her daughter was a prostitute, and walked the Surrey theatre—I said I had heard by the officers that they were a bad lot and a set of swindlers—I might have said that to Shackell—the prisoner generally wore a light-coloured bonnet—I never saw her with any other—Mrs. Hayward lodged in my front room, and left me on the 17th of July—she wore a widow's bunnet—she is a widow, and has three daughters—two of her daughters were obliged to go out, and they wore any clothes—they had black bonnets.

Q. What time was the quarrel between your journeyman and you? **A.** There was no quarrel—Mrs. Jones and my journeyman were rather familiar, aughing and joking, and I might not like it—I never want any lodgers to interfere with my journeyman—I had no words with the journeyman that lay—I did not scold him, I had nothing to scold him for.

MR. BODKIN. **Q.** Did you complain of the familiarity that was going on? **A.** Yes, I said I did not wish to have any thing of the sort going on—there was something of the kind going on, but I cannot say whether it was so on that day—the officers came with me from Union-hall, and I gave them information about Mrs. Hayward going to Gravesend on the Thursday—I told the officer where she was to be found, and my daughter went with them—I had not any acquaintance with the prisoner before she lodged in my house—I did not observe any difference in her condition after the 11th—she remained the very same.

COURT. **Q.** When did Mrs. Hayward go to Gravesend? **A.** On the 16th—she did not go on the 11th—she was at home that day between ten and eleven o'clock, when I went up stairs about the lodger moving—she was then up stairs, and I saw her some other times that day—I did not go out—I did not go to market—I was at home all day—I saw the prisoner again at nine o'clock in the evening.

JOHN TAYLOR. I am a hair-dresser, and live in Old-street. I am the husband of the last witness—I saw the prosecutrix after the examination—they came to my house and brought the prosecutrix with them, and two or three more—the prosecutrix said to me that the prisoner was not the person who robbed her—she said she was sure, and could swear that she was not the person who robbed her, but it was a stout woman—she said a stout woman and the prisoner came into the cabin—I have only known the prisoner since she lodged with me—she appeared poor, but very honest and industrious—I did not observe any change in her circumstances.

COURT. **Q.** Who else lodged in your house? **A.** Mrs. Hayward, a widow—she went down to Gravesend on Thursday, the 16th, and left my house on the 17th, the day after, which makes me recollect it—she went in the packet on the 16th, as she told me—I do not know that she did not go to Gravesend on the 11th, for I have another house at No. 63, John-street, and I am generally there—I was most likely there on the 11th of July—Mrs. Hayward and the prisoner seemed to be friendly as lodgers—their rooms were on the same floor—the prisoner wore a light bonnet.

ELIZA HAYWARD. I live at No. 59, Brick-lane, Old-street. I removed here on the 17th of July—before that I had lodged at Mr. Taylor's in Old-street—I removed in there on the Thursday before Good Friday—I had lodged there about four weeks before the prisoner came to lodge there—I had never seen her before—our rooms were close together—I left there on the 17th of July—on the Saturday before that I was at home all day—I remember seeing the prisoner that day between nine and ten o'clock in the morning in her own room at work, and I saw her between one and two o'clock—she was at home the whole of the time, and she warmed some beer for my daughter in the evening—I do not recollect seeing her from between ten and eleven o'clock till between one and two—she came into my room in the afternoon very ill with a pain in her side, and he was in and out all the afternoon—I went to Gravesend on the 16th—I had not been there before for four years—I went on the book-binders'

excursion—my husband was a compositor, and my daughter is a bookbinder—my husband has been dead seven years.

MR. ESPINASSE. *Q.* What makes you remember the 11th of July? *A.* I called it over in my mind when I heard I was wanted—I recollect the day on account of the prisoner's warming my daughter's beer, and her being ill—I know I saw her between nine and ten, because it was breakfast time, and she came and had a little water of me—she came into my room between one and two o'clock in the day I know, because one of my daughters came home to dinner—my dinner hour is between one and two o'clock—my daughter comes home to dinner every day—I cannot call any other circumstance to mind—I do not recollect seeing her down stairs—I did not hear any quarrel or noise, or loud talking—I cannot call to mind hearing any quarrel between the journeyman and the mistress—I was washing, and was in and out of my own room.

COURT. *Q.* When did you first hear that the prisoner was in custody? *A.* Last Saturday week—I have a sister-in-law—she is not an acquaintance of the prisoner.

MR. BODKIN. *Q.* Which of your daughters was ill? *A.* Sarah—she is the one who goes out to work and comes home between one and two o'clock to dinner, but she has been ill these seven weeks—she was taken ill about the 27th of June—that was the only occasion that the prisoner ever warmed beer for her—I think the officer came to me last Tuesday fortnight—it was on the 17th I removed to Brick-lane, and the officer came about a fortnight or three weeks afterwards—the Saturday I have been speaking of was the last Saturday I spent at Old-street.

SARAH HAYWARD. I am the last witness's daughter. I am a folder at a bookbinder's—I remember the last Saturday that we were at the lodging in Old-street—I did not go to work that day—I was at home—I was not able to go, as I was ill—I was at home the whole day—I saw the prisoner that morning about nine o'clock—she was in the passage walking from her room to ours—she was about her work—she is a willow bonnet-shape maker—I saw her at work for a few minutes in her own room—I saw her in my mother's room between one and two o'clock—I cannot say that I saw her from nine till between one and two—I did not see her dressing for going out any where—she had no dress—I mean she had no change—she appeared in a poor miserable state—I cannot tell what she came into our room for between one and two—I saw her in the evening between seven and eight—she was then ill, and sitting by our window—she did not then present any appearance of change in her dress, or as if she had been out—I did not see her with money or in any change of circumstances after that time—she went to bed that night earlier than usual, and had a very poor supper.

COURT. *Q.* Do you know where she was on the 14th? *A.* I saw her on Tuesday, the 14th, between seven and eight o'clock in the evening—I cannot tell whether she went out that day, nor whether she was at home between two and six o'clock—on the 16th she was at home, with the exception of ten minutes, when she went on an errand for me—I kept such a correct account as to know where she was—on that day my mother went to Gravesend, and she attended on me the whole day.

MR. ESPINASSE. *Q.* How long was she away? *A.* I cannot say. On Saturday, the 11th, I saw her between one and two o'clock—I have a

sister, who came home to dinner between one and two and she was at home—that is my reason for saying it was between one and two.

MR. BODKIN. *Q.* Your mother went to Gravesend on the 16th, what time did she come home? *A.* About twelve o'clock at night—she went with Mr. Brook, a shoemaker in Austin-street, whom she has known twenty-six years, and she stopped to sup with him—the prisoner was not out of my sight on the 16th, except when she went on the errand I sent her for—my sister leaves her place at one o'clock to come home to dinner, and she has to be back by two—it was during the time my sister was there the prisoner came into the room.

MR. BODKIN to ROBERT SELWOOD. *Q.* Did you have in your care a lad who was said to have been, in the cabin, on board the steam-boat? *A.* Yes, he was brought before the Magistrate by the collector—he had an opportunity of looking at the prisoner—he is not here—I took the stewardess of the vessel—she had an opportunity of looking at the prisoner, she is not here.

ELIZABETH PALMER *re-examined.* *Q.* Did you notice a boy who was in the cabin? *A.* Yes, he came in, I think twice, while we were there—that boy was taken before the Magistrate.

COURT. *Q.* You have been asked about the dress of the prisoner, have you heard her speak? *A.* Yes, there was nothing particular in her speech that I noticed—it was more by her manner than her voice, when she came before the Magistrate that I recognized her—I am quite certain as to the day—it was on Saturday, the 11th of July—I do not know whether the prisoner came in alone to the Magistrate's room—I think the officer was with her—there was no other female with her—I did not know she was to be there—I went on board the *Star* at ten o'clock in the morning, it got to Gravesend between twelve and one—the woman in black was in the cabin during the whole voyage—I left her and the prisoner together when I went down to get my box—I left Gravesend at two and I think it was a quarter after four o'clock when I came back—the prisoner had on a silk bonnet trimmed with crape when she was before the Magistrate—I think it was a better bonnet than she had on in the steam-boat.

MRS. TAYLOR (*re-examined.*) The prisoner came and paid my daughter the rent about tea-time, on the 14th, between four and five o'clock—I do not know when she sold her bonnets—I saw her sitting at work at them on the 11th—I applied for the rent on the Saturday, and she said she could not pay till she sold her bonnets—I was before the Magistrate when she was there the second time—she had a black bonnet on trimmed with crape—I was not near enough to see whether it was sarsnet or not—I was much surprised at seeing her in a black bonnet—when the officer first applied for the prisoner she was out—her daughter came to the door to him—she was not denied, I told him the way I saw her go.

GEORGE SELWOOD (*re-examined.*) She was denied by her daughter, and was denied again in the evening, but I found her there.

MRS. TAYLOR (*re-examined.*) Last Tuesday week, while I was in the room with Mrs. Palmer, she said, “I do think I lost or dropped it looking out of the window,” and after that she said, “I strongly suspect the collector of the boat of the robbery.”

MRS. PALMER (*re-examined.*) Oh no, there is not a word of truth in what

she has said—I left my bonnet-box in the care of the stewardess—I felt dissatisfied on the first examination, and the Magistrate had the stewardess up—I did not say any thing about dropping my bag or money out of the window—I said I thought when I looked out of the window was the time the person must have taken the property from my pocket—the collector came and collected the money—I thought he could recognize the party—I never said I suspected him of being in the robbery. **NOT GUILTY.**

Before Mr. Sergeant Arabin.

2207. JOHN SULLIVAN was indicted for stealing, on the 18th of August, 1 watch, value 2*l.* ; 1 watch-chain, value 6*d.* ; and 1 watch-key, value 2*d.* ; the goods of William Nelson Wilson, from his person.

WILLIAM NELSON WILSON. I am a carpenter. On the 18th of August I was nearly opposite St. George's church, in the Borough, between one and two o'clock in the morning—I had been out on business—I had been drinking, but was sober—the prisoner and three females were standing talking—as I passed, the women spoke to me—I turned round, and had no sooner turned, than the prisoner snatched my watch out of my pocket, and had it in his hand—I snatched it from him again, as he held it up by the chain—he then ran away some thirty yards, and ran down a little passage, which is no thoroughfare—he returned—I collared him, and gave him to the officer.

Prisoner. Q. What did the woman say ? *A.* She scarcely spoke to me, when you had the watch out.

JOHN MAYNARD. I am a policeman. The prosecutor gave the prisoner into my custody—the prosecutor had been drinking, but he was capable of taking care of himself.

Prisoner. I went up the turning, and when I came back the prosecutor seized me, and gave me in charge, for attempting to steal his watch—he had been rolling about, and the girls were *larking* about with him, as he was rolling in the gutter.

GUILTY.* Aged 19.—Transported for Ten Years.

Before Mr. Common Sergeant.

2208. ANN RAFTER was indicted for stealing, on the 13th of August, 15 yards of calico, value 6*s.*, the goods of Henry Smith.

HENRY SMITH. I live in the Old Kent-road, and am a linen-draper. On the 13th of August I lost fifteen yards of calico, which hung outside my door—this is it.

LAVINIA NELSON. I lodge at the prosecutor's. I was sitting at my window, and saw a man take the calico from the door, and give it to the prisoner who was waiting at the door to receive it—I gave information.

REDMOND WALSH (*police-constable M 103.*) I took the prisoner with the calico—she said it was given her.

Prisoner. He asked what I had got, and I said, "A piece of cloth which I found down Dover-road."

GUILTY.* Aged 20.—Confined Four Months.

2209. WILLIAM TAYLOR was indicted for stealing, on the 18th of August, 2 breast-pins and a chain, value 20*s.*, the goods of Frederick Hislop Brown, from his person.

FREDERICK HISLOP BROWN. I went to Camberwell fair on the 18th of August—I had two shirt pins and a chain in a scarf round my neck—I

met Mr. Chappell, and a person named Boyd, whom I knew—I was walking down the fair between seven and eight o'clock in the evening, and met the prisoner—my friend told me he had taken my pins—I turned and took hold of the prisoner—he shook hands with me, and said he was a gentleman, I was one, and we would go out of the fair, and settle it—I have never seen my pins since.

Prisoner. Q. What did you say to me? A. I accused you of taking my pins, and you said, "Come out and settle it," or words to that effect—you might have gone about three feet from me—I believe you said you had not got them.

ROBERT COOPER CHAPPELL. I was walking with the prosecutor—I saw the prisoner walking before us—all of a sudden he turned, and passed us on the left, and as he did that, he took the pins from my friend's scarf.

Prisoner. Q. Did you see what I did with the pins? A. No—you went a few feet and your back was towards me.

MARIA RAYNER. I was at the fair—I saw the prisoner come past the prosecutor—he had a piece of silk handkerchief, or a whole silk handkerchief in his hand—he lifted his hand and took the pin and put it under the handkerchief.

Prisoner. Q. Did you see me do that? A. Yes, I was behind you—I did not see what you did with it—the prosecutor said, "Excuse me, sir, you have taken my pin," and you said if he would go out you would settle it—I did not hear you say he had better go to the officer—you said, "I am a gentleman, and so are you."

Prisoner's Defence. In the bustle and hurry of a fair, it is hardly possible the witnesses could distinguish me taking the pin, or that they should not mind what I did with it, as they admit I did not go more than three feet from him—I am a stranger in London.

MR. BROWN(*re-examined.*) There were six or seven persons rushed in and tried to rescue him.

GUILTY.† Aged 32.—Transported for Ten Years.

Before Mr. Sergeant Arabin.

2210. FREDERICK MILLS and WILLIAM LAST were indicted for stealing, on the 18th of August, 1 handkerchief, value 1s. 6d., the goods of Thomas Wright Leggett, from his person.

THOMAS WRIGHT LEGGETT. I am a gentleman's servant. I was at Lamberwell-fair, on the 18th of August, about half-past three o'clock—I had a handkerchief with me—I did not feel it taken, but the policeman spoke to me—I then saw the two prisoners close to me, and one of the officers had my handkerchief.

JOSEPH THOMPSON (*police-constable F 39.*) I was at the fair in plain clothes—I saw Last feel the prosecutor's pocket several times, then Mills came up—the prisoners nudged each other—they went close to the prosecutor, and looked down at his coat—then Mills took the handkerchief out in a small compass, and put it to his own face—I took him with it.

GEORGE KEMP (*police-constable N 82.*) I was there in plain clothes—I saw Last try the prosecutor's pocket several times—Mills then came and poked to him—Mills took the handkerchief while Last held the pocket up—I did not see the handkerchief hanging out of the prosecutor's pocket.

Mills's Defence. It was hanging half-way out of his pocket, I took hold of it, and was going to give it him ; I did not see this other boy at all.

MILLS—GUILTY. Aged 20. }
 LAST*—GUILTY. Aged 18. } Transported for Ten Years.

Before Mr. Common Sergeant.

2211. HENRY DODSWORTH was indicted for assaulting Charles M'Carthy, with intent, &c.

GUILTY. Aged 21.—Confined One Year.

Before Mr. Sergeant Arabin.

2212. WILLIAM WILSON was indicted for assaulting Charles Burdell, with intent, &c.

GUILTY of an Assault. Aged 36.—Confined Two Years.

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CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. ELEVENTH SESSION.

star () denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk † that a prisoner is known to be the associate of bad characters.*

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, September 14th, 1840.*

First Jury, before Mr. Recorder.

2213. PETER JONES was indicted for an indecent assault.

GUILTY of a common assault. Aged 62.—Confined Twelve Months.

2214. CHARLES TAYLOR was indicted for stealing, on the 19th August, 1 handkerchief, value 2s., the goods of Nathaniel Charles Harris, from his person.

NATHANIEL CHARLES HARRIS. I live in Angel-court, Skinner-street. On the 19th of August, about half-past twelve o'clock at night, I was on Ludgate-hill—I felt something touch my pocket behind—I turned round, and found the prisoner and another man behind me—I thought they had been robbing me, and asked if they had—they said, "No," and were passing on—I saw my handkerchief in the hands of the other person—I took it of him, and he gave the handkerchief to the prisoner, who ran away with it—I afterwards saw it taken from him at the station-house—this is—*(looking at it.)*

Cross-examined by Mr. PHILLIPS. Q. Was he asked how he came by

A. Not that I heard—he had denied that he had it.

JAMES ROGERS (*City police-constable, No. 314.*) I was on duty on Ludgate-hill, and hearing the prosecutor cry out "Police," I went up to him—said his pocket was picked of a handkerchief, and the prisoner had got it—I took the prisoner as he was walking down Ludgate-hill—I searched him at the station-house, and found the prosecutor's handkerchief stuffed in his trousers, and this other also.

Cross-examined. Q. Was any one else taken up on this charge? A. Yes—that person escaped.

GUILTY.* Aged 23.—Confined Twelve Months.

2215. SARAH ANN LASSITER was indicted for stealing, on the 14th of August, 1 half-crown, and 1 shilling, the monies of Benjamin Baker, master; to which she pleaded

GUILTY. Aged 14.—*Recommended to mercy.*—Confined Ten Days.

2216. EDWARD BRYANT was indicted for stealing, on the 29th August, 1 handkerchief, value 1s., the goods of Robert Hallett, from his person; to which he pleaded

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Three Months.

2217. MARY STEPHENS was indicted for stealing, on the 25th of August, 12 10*l.*, and 10 5*l.* promissory notes, the property of Thomas James, junior, from his person.

MR. CLARKSON conducted the Prosecution.

THOMAS JAMES, JUN. I am a cattle salesman, and live at St. Cloud, Cornwall. I have one partner. The money in question was the produce of beasts, which I had sold on account of myself and partner—I had not seen my partner since I sold them—on the 22nd of August I sold 125 beasts for 1200*l.* odd—I paid 1046*l.* 15*s.* into the bankers, all in cheques—I was entitled to a larger portion of the money than I had in my pocket—I came to London on Tuesday, the 25th of August, from Norwich—I had at that time 200*l.* in country notes, some of the Norwich bank, and five sovereigns, and some silver—a little after nine o'clock on Tuesday evening I went into a cigar-shop on Ludgate-hill, and purchased three cigars—I changed half a sovereign to pay for them—I kept my purse in an inside pocket, in the waistband of my trowsers—I took out my purse to get the half-sovereign—I then placed my purse in my left-hand pocket, not in the same pocket, and came out of the shop—on coming out I saw the prisoner close to the window—I had not observed her before—I think she was in a position to have seen me in the shop—when I came out she asked me where I was going—I said, “Not far”—she invited me to go to a house—I agreed, and we went to a Mrs. Green's, No. 13, King's Head-court, near Shoe-lane, I think—I had not been in the house a quarter of an hour before I missed my notes from my pocket—I had been on the bed with her—I told her she had robbed me of some Bank-notes—she denied it—I said, “You have, and I shall not let you go till I have a policeman”—I kept her there, I suppose, for an hour, trying to get a policeman—I desired the woman of the house to send for one, but she would not—they said they would accompany me to a policeman—we came a little way from the house, and just by a public-house Mrs. Green said, “You had better come in here, and have something to drink”—we went in, and had a pot of porter—my object was not to lose sight of them, and I thought the landlord or landlady might send for a policeman—I asked the landlady to do so, but she refused—we then left the house—a few minutes after we met a policeman, and I gave her in charge—after we had got about 100 yards she made a stop, and said she would go back and speak to the woman—the policeman said, “You are not going back, you are doing something”—he looked at her feet, and said, “You have dropped something there”—he stooped down, picked it up, and said, “Here the notes are”—I saw him pick them up near her feet.

Cross-examined by MR. PHILLIPS. Q. Were these notes the property of your partner and yourself? *A.* Yes—I should have to account to him for them—I have told nearly all that happened—I remember the servant girl coming up after I was robbed—I did not charge her with robbing me—I told her I had been robbed of some Bank-notes, and desired her to send for a policeman—I told the prisoner that she had robbed me, and whether the servant girl had received the notes from her I could not tell—the prisoner took off her gown, and I took off her boots to search her, but no further, that I swear—I thought she might have concealed the notes in her boots—they were laced boots—she was not stripped to her shift—nothing was taken off but her gown and boots—I searched the room, and took up the carpet, and shook it—the woman of the house desired me to search my

own person, to see if I had any thing—I took out some papers, my purse, and a small bag, containing some barley—after the search the prisoner said she was very sick, and desired to have a little gin—she sent for it herself—I did not drink any of it—Mrs. Green desired me to leave the house—we had nothing but the pot of porter at the public-house—the landlady said she would have no policeman in her house—I was quite sober—Mrs. Green did not put her arms round my neck in the street—I did not pull out my handkerchief in the street, nor any thing else—the prisoner said she had got a home of her own, and asked me to go with her, and stop all night—I promised to do so, thinking to get her out of the house, and to meet a policeman, which I did, and gave her in charge—she did not say, “Now give me in charge, if you choose”—I have been in London many times—I was close to the prisoner when the policeman picked up the notes—she did not say, “How could I have secreted your notes after you searched me in the house and found nothing?” that I swear—nor did she say, in my presence, that the notes were not dirty—she was not stripped twice, once to her shift, and once to her stays.

MR. CLARKSON. Q. Were her clothes taken off at all? A. No—the public-house we went into was near Mrs. Green’s—I do not know the name of it—when I was at the cigar-shop the notes were in my fob, in one end of my purse, and the five sovereigns in the other end—I missed all the notes from my purse at the brothel—I had not meddled with the notes at the cigar-shop—I was at the brothel about an hour and a quarter altogether—I did not take my purse out till I missed the notes—I felt it outside, and thought it did not feel so large as it ought—she was then sitting on the bed at my left-hand side—she had the opportunity of taking the purse out and replacing it—we were sitting in that position about ten minutes, or between that and a quarter of an hour.

THOMAS HARRIS. I am a supernumerary constable of the City police. On Tuesday, the 25th of August, I was on duty at the corner of King’s Head-court, Shoe-lane, and saw the prisoner and prosecutor—the prosecutor said, “I give this woman in charge for robbing me of 200*l.* in country Bank-notes”—I took her in charge—when we got about half-way down Harp-alley, I observed her shift about a good deal, and she wanted to walk by herself—all of a sudden she turned round and said, “I shall fetch the woman of the house”—she leant herself forward and pulled up her clothes, as it were—I had some suspicion, pushed her aside, and there lay the notes—the prosecutor was about two yards to the left of her at the time, on the other side of the gutter—I was between them—he had not gone over the spot where the notes were.

Cross-examined. Q. Were you walking all close together? A. All three abreast—I had hold of the prisoner by the left arm—she had only her right hand at liberty—it was a dry starlight night—I cannot say whether there was any moon—the prisoner said, “How could I have secreted these notes when I was searched twice?”—I dare say the prosecutor was within hearing at that time—we were all three abreast—he made no answer to it.

MR. CLARKSON. Q. She did not say any thing about having been searched to her stays and shift? A. She said she had been searched to her shift—I delivered the notes to inspector Lloyd.

SAMUEL LLOYD. I am an Inspector of the City police. The prisoner and prosecutor were brought to the station-house by Harris, and I re-

ceived from him these notes—(*producing them*)—I asked the prosecutor if he had any private mark by which he could recognize them as his property—he said no; that he received them from various country banks, and he believed the largest number was from the Norwich bank—he said he believed the sum total was 190*l.* or 200*l.*, in tens and fives—they are tens and fives, and they amount to 200*l.*

THOMAS JAMES *re-examined*. I had no mark on the notes I lost, but these are such as I had in my purse—I believe them to be the same I lost.

(Maria Rolph, of Cumberland-buildings; L— Pulley, of Grafton-street, Marylebone; gave the prisoner a good character till within twelve months; since which they had not known her.)

GUILTY. Aged 27.—Transported for Ten Years.

NEW COURT.—*Monday, September 14th, 1840.*

Fifth Jury, before Mr. Sergeant Arabin.

2218. HENRY WILLIAMS was indicted for assaulting Emily Beecham and Mary Ann Beecham, with intent, &c.

GUILTY.* Aged 64.—Confined Eighteen Months, and fined £50.

Sixth Jury.

2219. JOHN WILLIAMS was indicted for stealing, on the 25th of August, 1 cape, value 12*s.*; 2 caps, value 6*s.*; 1 handkerchief, value 1*s.* 6*d.*; the goods of William Runting; from the person of Sarah Runting; to which he pleaded

GUILTY. Aged .—Confined Six Months.

2220. JOHN PERRING was indicted for stealing, on the 15th of August, 1 coat, value 5*s.*; and 1 waistcoat, value 2*s.*; the goods of Stephen Nelson.—2nd COUNT, stating them to belong to Sarah Perring: to which he pleaded

GUILTY.** Aged 12.—Transported for Seven Years—Convict Ship.

2221. ROBERT WINTER was indicted for stealing, on the 23rd of August, 1 handkerchief, value 2*s.*, the goods of Thomas Powell, from his person.

WILLIAM BAKER (*City police-constable, No. 132.*) Between ten and eleven o'clock in the morning on the 23rd of August, I saw a mob—I ran up and the prosecutor had the prisoner in his custody—the prosecutor had this handkerchief, which I now produce, in his hand.

THOMAS POWELL. I am a linen-draper. I was in Barbican, and had this handkerchief in my pocket—I did not feel it taken, but a witness told me of it—I seized the prisoner, and took it from his trowsers.

Prisoner. I did not have it, I will be on my oath.

RACHEL TWEEDALE. I was in Barbican—I saw the prisoner draw the handkerchief out of the prosecutor's pocket, put it into his own pocket, and cross to the other side—I called the prosecutor.

GUILTY.* Aged 17.—Transported for Ten Years.

2222. JOHN PHILLIPS was indicted for stealing, on the 9th of Sep-

tember, 5 yards of woollen cloth, called buckskin, value 17s. 6d., the goods of William Morley Burnett and another.

SHORE HOUSTON. I live in Portland-terrace, Wandsworth-road. On the 9th of September I was going up Ludgate-hill, about a quarter-past twelve o'clock, and saw the prisoner take a piece of cloth from a pile which was half inside and half outside the prosecutor's door—he put it under his arm—I went in and told the shopman—he came out and cried, "Stop him"—the prisoner threw the cloth down, and the shopman picked it up—he then ran up a turning—I followed, and my foot happening to touch his foot, he fell—I took hold of him—he struck at me twice, but another person came up and secured him.

SAMUEL DOUDNEY. I conduct the business at No. 29, Ludgate-hill. This cloth is the property of William Morley Burnet and another—it has my own mark on it—the shopman who ran after the prisoner is not here—he was before the Magistrate, but he refused to take an oath.

SHORE HOUSTON re-examined. I believe this to be the cloth—I saw the prisoner throw it down, and saw the shopman pick it up and give it to the policeman.

WILLIAM DEVONSHIRE (*City police-constable, No. 237.*) This piece of cloth was given to me—I have had it ever since—I took charge of the prisoner.

Prisoner. I am innocent.

GUILTY.* Aged 17.—Transported for Seven Years—Convict Ship.

2223. JOHN SMITH was indicted for stealing, on the 4th of September, 1 handkerchief, value 4s., the goods of John Nisbett Man, from his person.

JOHN NISBETT MAN. I live at Kennington. On the 4th of September, about half-past eight o'clock, I was talking to a friend on Ludgate-hill—I felt some papers move which were in my pocket—I had my handkerchief in that pocket—I turned and saw the prisoner taking my handkerchief from my pocket—this is it.

Cross-examined by MR. PHILLIPS. **Q.** Before the Magistrate, did you state that you saw him taking the handkerchief from you? **A.** Yes, I did.

Q. Did you not say, "I turned round and saw the prisoner with my handkerchief in his hand?" **A.** Yes; but I saw him take it from my pocket, and I told the Magistrate so—what I said was taken down and read to me—my handkerchief was partly in my pocket—my pocket is behind me.

GEORGE VENTUM (*City police-constable, No. 312.*) I was on duty on Ludgate-hill—I saw the prisoner and another following the prosecutor and another gentleman—I saw the prisoner take the handkerchief from the prosecutor's pocket, as he and his friend were looking into a cigar-shop.

GUILTY. Aged 14.—Confined Three Months.

2224. LOUIS PHILLIPPE was indicted for assaulting a constable in the execution of his duty.

GUILTY.—Confined Three Months.

2225. WILLIAM SMITH was indicted for a common assault.

GUILTY.—Confined One Month.

2226. BRIDGET COOTS was indicted for a common assault.
GUILTY.—Confined One Month.

2227. MARY KING was indicted for an assault.
GUILTY.—Confined Six Weeks.

2228. WILLIAM JENNINGS was indicted for an assault.
GUILTY.—Confined Three Months.

OLD COURT.—*Tuesday, September 15th, 1840.*

Second Jury, before Mr. Sergeant Arabin.

2229. WILLIAM ALLCOCK and JAMES KNIGHT were indicted for a conspiracy ; to which Allcock pleaded

GUILTY. Aged 50.—Confined Nine Months.

MESSRS. ADOLPHUS and BODKIN conducted the Prosecution.

JOSEPH DOWLING. I am a captain in the army, and am barrack-master of St. James's. I have the superintendence of the Wellington barracks—Sir Rufane Shawe Donkin, Knt., James Whitley Deans Dundas, Esq., and the Hon. George Anson, are the board officers—the prisoner, Knight, was superior barrack-serjeant—there were ordinary barrack-serjeants under him, of whom Allcock was one—on the 1st of July a contract was made with Messrs. Cory for coals—it was my practice to send a written order to the contractors for coals which were wanted for the public service—I allowed no one to apply to the contractor without my written order, which was the contractor's authority to supply the quantity there stated—it was Knight's duty to see that the quantity ordered was properly delivered—Allcock assisted, if he had no other duty—there was no necessity for more than one—Knight might receive and check the quantity himself, or desire Allcock to do it, or if Allcock was doing it, Knight might send him away and do it himself—this is the order which I sent to Messrs. Cory, on the 11th of July—*(The order was dated 11th July, desiring Messrs. Cory to send, on the 15th, to the Wellington barracks twenty-four tons of coals, for the 3rd battalion of Grenadier Guards, and twelve tons to go into the barrack-master's store)*—it would be the duty of Knight or Allcock, whichever attended to the receipt of the coals, to receive the tickets sent with them, to see that the quantity mentioned in the tickets was received, and to file the tickets in my office—the account is made up quarterly from the tickets, and I give a certificate for the quantity so certified as having been received—these tickets (*producing some*) refer to that order of the 15th July—I keep a double entry of these things, one in a private book and the other in a public book, in which entries are made by Knight in the office—that entry (*referring to it*)—represents the coals ordered on the 15th to amount to twenty-four tons, received for the use of 3rd battalion of Grenadier Guards, and twelve tons as received into my store.

Cross-examined by Mr. CHAMBERS. Q. I believe there is an office in which Knight used to sit and keep accounts? A. Yes, he kept his accounts in my office, at the Wellington barracks—a sergeant from St. George's and Sergeant Allcock also went to the office when business required—they had access whenever they thought proper—there was no clerk or accountant in the office but Knight—at times the duties in the office were rather heavy, so as occasionally to require Knight's constant attendance in the office—the duty of four barracks was done in that office

—I told Allcock that he was to superintend the delivery of coals from the commencement of July—I gave him a written order to that effect—I told him he was to be present at the receipt of all coals, candles, wood, and straw, commencing on the 1st of July—that was to enable Knight to attend more to my books—he had before that occasionally attended to the delivery of coals, not always—if Allcock was otherwise engaged, he might attend—if Allcock could attend Knight need not be present, but he could send Allcock away to any other duty, and attend himself—one or the other must see them delivered—I have been barrack-master at the Wellington barracks about four years and a half, and have known Knight during that time—he always gave me every satisfaction before—I had no fault to find with him—he was there before me—we occasionally take stock of what remains in the barrack-master's store—no deficiency has ever been discovered—there has sometimes been a surplus in some trifling articles.

MR. BODKIN. *Q.* Do you know of your own knowledge who attended to the receipt of the coals on the 15th of July? *A.* I was not present all the time—while I was there, in the early part of the morning, Allcock was receiving them—I did not see Knight there myself, but I only saw one load delivered—I saw Knight at my house that day.

WILLIAM CORY, JUN. I am in partnership with my father, as coal-merchants, and carry on business at Barge-house Wharf, Lambeth. On the 11th of July Allcock came to me with this order for twenty-four and twelve tons of coals, at 19s. 6d. a ton—he came into the counting-house, closed the door, and said that a saving could be effected; that, instead of twenty-four tons, we need only send twenty, and instead of twelve, eight; but that we should send the tickets for the twenty-four and the twelve tons, and that receipts would be given us for those quantities—our suspicions had been excited before this, and I was instructed by my father, in case a proposal of this sort was made, to dissemble my feelings, that we might expose them—I therefore told Allcock that he must see my father—he said nothing further to me about money—I said as little to him as I could.

ROBERT PARK. I am clerk to Messrs. Cory. I was on the premises on the 13th of July—Knight and Allcock came there together, and asked for Mr. Cory the elder—I told them he was at the market—Allcock said, in Knight's presence, that there were coals to go to the Wellington Barracks, that they should not want so many as were ordered, and he asked me if I thought Mr. Cory would give them the money for the coals that they did not want—I said I thought he would not—Allcock said 15s. a ton was what they expected—they were there about a quarter of an hour—Allcock said he was barrack-sergeant, and Knight was his superior, and that it was usual for other contractors to do so—I referred them to Mr. Cory, and said he would be back by half-past four o'clock—they waited till he came—I did not hear what passed between them—I afterwards received instructions from Mr. Cory how to act, and next afternoon Allcock came to the counting-house, and took two tickets from me for four tons each—Mr. Cory had told me he was coming for them, and to give them to him—Allcock told me he had come for the tickets—the delivery took place on the 15th—twenty tons were sent for the troops, and eight tons for the barrack-master's store, and I sent tickets corresponding with that quantity—in the afternoon, after the delivery, the prisoners came to the counting-house both together—Knight said he had come to give the

receipt for the coals—I took a piece of paper and wrote a receipt, which he signed in my presence—this is it—Allcock said nothing—he stood by—*(this receipt was signed, “James Knight, superior barrack-sergeant,” and acknowledged the delivery of twenty-four and twelve tons of coals)*—after Knight had signed it, they still waited about, and did not seem disposed to go—I asked them if they expected the money—they both said, “Yes”—I said I thought it would be time enough to pay them when we received the money—they said they had given the receipt, and every thing would be right—I still declined to pay them, and said I must consult Mr. Cory before I could do so; upon which, Knight said Allcock should come over next day—they then went—next day Allcock came, and I then paid him 6*l.*—in doing that, and every thing else, I acted under Mr. Cory’s directions.

Cross-examined. Q. Was this the first contract Messrs. Cory had had? A. It was—they had delivered twenty tons, I think, at St. George’s Barracks—I think that was all one order—I believe it was for a battalion there—Allcock and Knight were in their private clothes when they first came—I had seen Knight before, but not Allcock—Allcock did not say there was not room to hold the coals that were ordered, nor that he should get into a scrape for having ordered so many—nothing of the sort was said—Allcock said it was customary to allow them 15*s.* a ton—I said I had never heard of such a thing—Knight said we had never had the contract, and that was the reason.

MR. BODKIN. Q. How long have you been clerk to Messrs. Cory? A. Thirty years—it was the first contract they had had from these barracks.

WILLIAM CORY. I am a partner with my son. We had the contract in question—on the afternoon of the 13th of July Allcock called on me, and said he was aware that contracts were taken at a low price, and therefore it would, no doubt, be acceptable to us to make a saving—he then stated that he had brought two orders, one for twenty-four, the other for twelve tons, and out of those two a saving could be effected of four tons on each, and they should expect an allowance for the coals not delivered—he did say who he meant by *they*—he said former contractors had done the same thing—I told him I must take time to consider of it, and he might see me next day—I had suspicions, and appeared to humour the thing—I felt I had no other course to pursue, as an honest man—I had had no communication with Government about it at that time—he seemed alarmed, and said he hoped, if I did not consent, that I would not expose him—Mr. Hawes, M. P. for Lambeth, lives next door to me—I went to him, and communicated what had passed—I had appointed for Allcock to come next afternoon, which he did, and I consented to his proposition—I stated that I thought he wanted a very large proportion of the benefit arising from it—he wanted 15*s.* a ton—he observed, “Oh, but you save the cartage on the coals you don’t deliver,” which had never occurred to me, and I thought it very ingenious of him—the cartage would be 3*s.* or 4*s.* a ton—I think that was all that passed—I let the coals be delivered according to their desire—I was authorised to do so, and I gave instructions to Mr. Park how to act.

CAPTAIN DOWLING *re-examined*. I received this paper from Knight, in the course of his duty—it is his handwriting—*(This was dated 11th July, informing Captain Dowling that twenty-four and twelve tons of coals were*

required, and signed James Knight)—it was in consequence of that paper that I gave the order—this letter—(looking at one)—is Knight's handwriting.

Cross-examined. Q. Before that letter was written by him, I believe he showed you another letter, which he had written? A. Yes—I did not altogether approve of it, and I suggested to him that he had better write in more respectful terms—I read the first letter—I cannot say whether it is destroyed—(The letter being read, was dated 5th August, addressed to Sir Hussey Vivian, soliciting mercy and forgiveness, on account of his (Knight's) age and long service)—Sir Hussey Vivian is Master General of the Ordnance—I recommended him to write a letter to the Master General, thinking it might do him good—I did not dictate the letter—the coats were for her Majesty's service.

(The prisoner received a good character.)

KNIGHT—GUILTY. Aged 68.—*Recommended to mercy.*

Confined Twelve Months.

2230. **FREDERICK DYER** was indicted for stealing, on the 1st of September, 18lbs. weight of hay, value 9d., the goods of William Baker : and **WILLIAM CHAPMAN**, for feloniously receiving the same, well knowing it to have been stolen ; against the Statute, &c.

WILLIAM BAKER. I am a farmer, and live at Harrow. I had a stack of hay in cut—I missed some on the 1st of September, and on the morning of the 2nd some more—Dyer lives within twenty yards of the stack—Phillips brought some hay to me, it was brown hay, I compared it, and know it to be part of my stack—I missed the full quantity, and Dyer said, voluntarily, "I took the hay off the cut, and put it into Chapman's sack" Chapman is a marine-store dealer—the hay is worth 9d.

JOHN PHILLIPS. I am a policeman. The prisoners were brought to me on Tuesday night, with the hay—Dyer stated that Mr. Hills, of E——, had given him the hay—I let them go—I went to Hill next day, and in consequence of what he said, I took the hay down to Mr. Baker's rick, compared it with it, and then took the prisoners into custody—Chapman acknowledged to me that he had received some two or three times before, and that he had bought this hay the night before of Dyer for 2d.

Chapman. The boy acknowledged that he had the hay given to him—I never saw it myself. *Witness.* He acknowledged to me that he had given 2d. for it—Dyer lives with his mother, who keeps a toll-gate, she has no hay—Chapman lives about a mile and a half from them—he must know she was not a farmer—the sack belongs to a person at Covent-garden market, and Chapman said he had borrowed the sack.

JOSEPH MARTIN. I am a policeman. I was on duty on the 1st of September at Bishopsgate, and between seven and eight o'clock I saw Dyer with a sack of hay—he said he had received it from a farmer's cart named Hill—I watched him, and saw Chapman give him 2d., and then he threw the hay into Chapman's cart—I took them both into custody—Dyer told the sergeant he received the hay from Hill's carman—the sergeant took their names, and allowed them to go home, and in the morning they were apprehended again—Chapman keeps a horse and cart, and goes about the country a good deal.

Chapman's Defence. I know nothing about the hay at all, it was unknown to me ; I did not put it into my cart—I saw nothing of it.

(Dyer received a good character.)

DYER—GUILTY. Aged 15.—*Recommended to mercy.*
Confined Five Days.

CHAPMAN—GUILTY. Aged 74.—Confined Twelve Months.

2231. HENRY MAIDMENT was indicted for stealing, on the 24th of August, 1 coat, value 15s.; 1 waistcoat, value 2s.; 1 handkerchief, value 2d.; and 1 tobacco-box, value 3d.; the goods of Thomas Barnes.

THOMAS BARNES. I am a tailor, and lodge at a coffee-house in London-wall—the prisoner lodged in the same room with me for a week. On the 24th of August I missed these articles from my bed-room—the prisoner slept there on Sunday night, and went away on Monday morning—when I got up the articles were gone, which had been safe the night before—I found him at the station-house on the Wednesday morning with my coat and waistcoat on—he said I had sold them to him, but I had not—he asked me, during the week, whether I had a coat to sell—I said I had one, but did not care about selling it—he asked me the price of it—I said I did not know—he had no permission to take any thing away—this is my coat, waistcoat, and tobacco-box—(looking at it.)

Prisoner. Q. Did not you see me at breakfast on Monday morning? A. No, I never saw you after Sunday evening—I lent you the coat to wear on Sunday, as you said you were going to Greenwich—I did not ask you if you were going to wear it every day—you came home on Sunday night at ten o'clock, and gave me the coat, and thanked me.

JOHN LEWIS. I am a policeman. On Tuesday evening, the 25th, I had information that a robbery was committed, and the man was in Skinner-street—I there took the prisoner with this coat, waistcoat, and tobacco-box, on him.

RUTH CAMPION. I keep the coffee-house. The prisoner owed me a week's rent on Sunday for board and lodging—he promised to pay me on Monday morning, but he never returned.

Prisoner. Q. Was I not there at breakfast? A. Yes.

GUILTY. Aged 20.—Confined Three Months.

2232. JANE HAMMERTON was indicted for stealing, on the 19th of August, 1 gown, value 7s.; 2 petticoats, value 10s.; 2 pairs of stockings, value 4d.; 1 shawl, value 2s.; 1 half-sovereign, 1 crown, and 2 half-crowns; the property of William Philip Godfrey, her master.

MARY GODFREY. I am a laundress, and am the wife of William Philip Godfrey, of Paddington—the prisoner was four weeks in our service, and twelve months ago she lived with us also. On the 19th of August I went out about eight o'clock in the evening, leaving her in care of the house with my daughter, who is eight years old—I returned at eleven o'clock, and she was gone—she had taken off her own clothes, and put on the articles, which belong to two ladies who I wash for—she knew they were not my own—the shawl, stockings, and money are mine—these are what I missed—(looking at them)—the dress is quite new, and she has cut it about—I had given her strict orders to pay this money to the landlord when I left that night—she left her own clothes in the middle of the room.

PATRICK CONOLLY. I am a policeman. From information I apprehended the prisoner on the morning of the 28th of August—I told her I wanted her for stealing a gown, two petticoats, other articles, and some money—she said, "I acknowledge to have taken the gown and petticoats."

but I did not take the money"—I found the skirt and sleeves of the gown on her, the body was found at her lodging.

FREDERICK LEIGHTON. I am a pawnbroker, and live in Lisson-grove. I have a petticoat which was pawned for 2s., I believe by the prisoner.

CHARLOTTE LOWE. I keep a clothes-shop. On the 21st of August the prisoner sold me this petticoat for 1s.—she had it on her back, and said she was in distress—I asked her four times if it was her own—she said it was.

Prisoner's Defence. I did not take the money, she gave her daughter orders to pay the rent.

MARY GODFREY re-examined. My daughter is not nine years old—I told the prisoner the money was on the shelf, if the person should call.

GUILTY.* Aged 16.—Transported for Seven Years.

2233. **JOHN GUIELDEY** was indicted for bigamy; to which he pleaded

GUILTY. Aged 44.—Confined Three Months.

2234. **WILLIAM KING** was indicted for stealing, on the 19th of August, 11 spoons, value 2l. 14s.; 1 pair of sugar-tongs, value 7s.; 1 pair of spectacles, value 7s.; 1 tea-caddy, value 2s.; $\frac{1}{2}$ lb. weight of tea, value 2s.; 1 shawl, value 10s.; 1 muffineer, value 10s.; 2 razors and case, value 5s.; 1 purse, value 1s.; and 1 basket, value 2s.; the goods of John Williams.

MR. BALLANTINE conducted the Prosecution.

EDWARD FARRINGTON. I am assistant to Mr. Dutton, a shoemaker, at Beckford-row, Walworth. Mr. John Williams was remaining at his house, having come from Wales—on the 19th of August a *cab*, which was engaged the over night, came to the house between six and seven o'clock in the morning, driven by the prisoner—I assisted in putting the parcels into the *cab*—there was, among others, a cane basket, containing articles belonging to Mr. Williams—this is the basket—(*looking at it*)—I was not aware of the contents—I gave it to the prisoner, and he put it inside the *cab* himself—there was a padlock to it—I do not know whether it was fastened.

Cross-examined by MR. PAYNE. Q. Had you ever seen the prisoner before? A. Never—Mr. Williams had ordered the *cab* the night before—I am quite certain the prisoner is the man I gave the things to—I knew the basket before, it belonged to Mr. Williams—he had been there about two months.

WILLIAM THOMPSON. I am porter at the Swan with Two Necks, Lad-lane. On the morning of Wednesday the 19th of August I remember a *cab* coming there with a gentleman and lady, and some luggage—the prisoner is the man who drove it—I know his face well—I helped to unload the *cab*—I did not take any parcel from inside, but from outside—I then asked the *cabman* if he had any more parcels inside, after it appeared to be unloaded, and he said, "No"—there was no basket of this kind taken out—I saw all that was taken out brought into the office.

Cross-examined. Q. I believe you asked the gentleman himself if every thing was out? A. Yes, and he said he believed he had got them all, but soon after the *cab* was gone he missed the basket—I had never seen the prisoner before—I saw him at Guildhall and knew him again—I can swear to him.

WILLIAM MYERS. I am waterman at the King's-head public-house,

Manor-place, Walworth. I saw the prisoner on the 18th, when the cab was hired—I never knew him before—I believe he was on the stand—I am certain he is the man—he was to go next morning at seven o'clock to Mr. Dutton's—I saw the gentleman next morning, and the prisoner also—the gentleman called me up out of bed next morning—I went with him to find the man who had driven him—I went in company with the gentleman to different cab stands—he saw the prisoner at his house, and said, "That is the man"—the prisoner went with us—he said he knew nothing at all about the basket—after the gentleman had left him and given him a drop of gin in Blackfriars-road—he came down and abused me at the Old King's-head, and told me watermen ought not to know any thing.

Cross-examined. Q. He had been having something to drink then? A. Yes—I went with the gentleman—I have never been in trouble—I was never before a jury or judge in my life—I was never accused of taking any thing that did not belong to me.

CHARLES HITCHES. I am a policeman. I went to the George public-house, in Blackfriars-road, which is a watering house, on the 22nd of August, in company with Mr. Douglas, I there saw a person named Ionn—I made inquiry of him, and he showed me this basket—the hasp had been broken off, and tied with this cord—the plate which is now in it was in it then—he stated where he got it—Douglas claimed it as Mr. Mills' property, and he gave it up.

MATTHEW SEYMOUR IONN. I am barman at the George public-house, in George-street, Blackfriars-road, about half a mile from the Swan with Two Necks. I assist my sister who keeps the house—I have known the prisoner two or three years—he frequents our house when he is near it—I remember the morning this occurred—I cannot be certain whether it was Wednesday or Thursday—I believe it was Wednesday—about eight o'clock in the morning, just as I came down, it might have been a little after eight, the prisoner was in the bar, and this basket was left at the house—it was not given into my hands by the prisoner, but if he had called for it I should have given it to him—I did not receive it from him, but should have given it up to him—it was left that morning in the bar, and at that time.

Cross-examined. Q. How many more people were there there? A. Six or seven—I found a party down stairs—the prisoner was tipsy at the bar—I said, "As usual, some bother or other"—there was some confusion about a green yard—the basket was in the bar when I came down, where parcels are generally put—I did not see who put it there, but the prisoner was the only person among them who I knew—I think this was on the Wednesday, but I could not swear it.

COURT. Q. Why should you have given it up to him? A. He was the only person among the party at the time who I knew—three parts of them were tipsy—I thought he was the party who had left it—I certainly thought it belonged to him.

JOHN KNEEBONE DOUGLAS. I am step-son of Mr. John Williams. I know the property in this basket belongs to him—I saw them placed in the basket, which was first locked, and then tied with a rope—when I found it it had evidently been opened—I have known some of the spoons twenty-five years.

(James Webb, green-grocer, Pinto-place, Gray's Inn-road; George Elliott, cab proprietor; and Richard Mallett, tailor, Walham-green, Fulham; gave the prisoner a good character.)

GUILTY. Aged 33. —Transported for Seven Years.

2235. JAMES LEWIS was indicted for stealing, on the 21st of August, 1 shirt, value 18*d.*, the goods of William Rufus Crikmore.

WILLIAM RUFUS CRICKMORE. I am a painter, and live with my parents. On the evening of the 21st of August I was bathing in the Serpentine river—I left my clothes on the shore—when I came out I missed my shirt and boots—a boy gave me information, and I went and saw the prisoner on the bridge—he had a shirt on, but, being dark, I could not swear it was mine, and while they were getting a light the prisoner ran away—he was taken in about half an hour—I saw my shirt at the station-house, and knew it—it has “R P C” on it—the boots were sent home after the prisoner was given in charge—I do not know by whom—this is my shirt—(*looking at it.*)

BERNARD CONOLLY. I am a tailor. I was bathing in the Serpentine, and saw the prisoner and prosecutor there—I afterwards saw the prisoner in Oxford-street—I knew him before by sight—I opened his waistcoat, looked at his shirt, and knew it to be Crikmore's—I gave him into custody.

DENNIS KEAYS. I am a policeman. There were a lot of boys collected together in Oxford-street, hallooing out that the prisoner had stolen the shirt—Conolly said he had sent for the owner—the prosecutor came up, and I asked if he could swear to the shirt—he said no—I asked if his mother could—he said yes—I took it to his mother—she looked at the tail of the shirt, saw some letters, and said it was his, and when he saw the letters he said the same.

GUILTY. Aged 19.—Confined Three Months.

2236. SUSAN TAPSON was indicted for stealing, on the 13th of August, 1 crown and 9 shillings, the monies of James Bedford.

JAMES BEDFORD. I am a sadler. On the 13th of August I met the prisoner at Knightsbridge, and went with her to a house in the Great Almonry, Westminster—I had nine shillings and a five-shilling piece in my fob when I went there—I had given her 2*s.* besides—we went to bed—I fell asleep—I was awoke in the night by the landlady, who inquired if all was right—I was half-asleep, and said yes—the prisoner was then gone—I heard the door shut, which awoke me—I felt my trowsers, and my fob-pocket was cut off jagged as with a knife, and the money gone—I dressed myself and went after the prisoner with a policeman—I found her in New Pye-street, and gave her in charge—I described at the station-house what money I had lost, and nine shillings and a five-shilling piece were found on her, with 18*d.* more—the door of the room was locked on the inside—no one could have got in or taken it but the prisoner.

SARAH RUSSELL. I am the landlady of the house. The prisoner and prosecutor came and had a room together—she came down about three o'clock in the morning, and asked me to let her out—I asked if her friend knew she was coming out—she said he was awake—I went up stairs and found him asleep—I asked if all was right—he said all was right, and I let her go—he afterwards discovered his loss.

JOHN SCOTT. I am a policeman. The prosecutor applied to me and said he had lost a five-shilling piece and nine shillings—I found the prisoner at a ginger-beer shop, in New Pye-street, about ten minutes past three o'clock, and took her into custody—she said, “I have not robbed him, I have not got his money”—I found this purse on her, containing a

five-shilling piece, nine shillings, and 18d.—I did not find the fob that was cut off, but I found a small piece of it in this knife found on the prisoner—it was thrown away.

Prisoner's Defence. I had the money when I went to the house; I had been with a gentleman at Knightsbridge; the prosecutor was awake when I left, and knew I was going.

NOT GUILTY.

2237. JAMES FENWICK was indicted for stealing, on the 23rd of June, 1 pair of ear-rings, value 4s., the goods of George Woods.

GEORGE WOODS. I am a tailor. The prisoner lodged in the same house with me about four months—he gets his living by working at a laundry, I believe—I missed a pair of ear-rings out of a cupboard, and accused him and his wife of it—he denied it at first, but afterwards said he took them out of the box from distress, and sold them—he was out of work at the time—these are them—(*looking at them.*)

EDWARD ROPE. I am shopman to Mr. Button, a pawnbroker. I bought these ear-rings of the prisoner for half-a-crown.

CORNELIUS SAVORY. I am a policeman. I took him into custody—he said he took the ear-rings, and sold them at Mr. Button's for half-a-crown.

GUILTY. Aged 26.—*Recommended to mercy.*—Confined Six Months.

NEW COURT.—*Tuesday, September 15th, 1840.*

Fifth Jury, before Mr. Common Sergeant.

2238. JOHN MASKELL was indicted for stealing, on the 25th of August, 2 loads of bricks, value 1l. 12s., the goods of John Jay; to which he pleaded

GUILTY. Aged 30.—Confined Six Months.

2239. ELIZABETH ALDERMAN was indicted for stealing, on the 5th of September, 3lbs. weight of bacon, value 1s. 6d., the goods of John Cockman.

GEORGE COCKMAN. I am in the service of my father, John Cockman, a grocer, at Uxbridge. On the 5th of September, the prisoner came to the shop—she did not ask for any thing—when she was gone, I was told something, and missed a piece of bacon—I followed, and taxed her with taking it—she hesitated, then took it from under her cloak, and said, “Here it is, I took it in mistake.”

Cross-examined by MR. PHILLIPS. Q. Did you not find her coming back? A. No—she was about fifty yards off—I have known her twelve months—she is the wife of a shoemaker in the neighbourhood—she has dealt at our shop.

MATTHEW EWINS. I was in the prosecutor's shop. I saw the prisoner come in—she passed me, and went round at the back of two women—her hand went behind her, and I immediately missed a piece of bacon—she went out—I saw her brought back by Mr. Cockman.

(The prisoner received a good character.)

GUILTY. Aged 47.—Confined One Month.

2240. MARY ANN JEFFERYS was indicted for stealing, on the 6th of August, 1 box, value 2s.; 5 gowns, value 5l.; 3 shifts, value 4s.;

2 petticoats, value 4s. ; 4 collars, value 4s. ; 4 caps, value 2s. ; 1 printed book, value 1s. ; 1 brooch, value 7s. ; and 3 shawls, value 1s. ; the goods of Fanny Budd.

FANNY BUDD. I lodge at the Life Guardsman public-house, at Knightsbridge. On the 6th of August, the prisoner came to my house, and staid till the Thursday following—she slept in the same room with me—when she was gone, I missed my box, five gowns, three shawls, and the other articles stated—these are them—(*examining them.*)

Cross-examined by Mr. BALLANTINE. Q. Are you single? A. Yes—I have been in a situation, but at that time Mrs. Byers gave me my lodging and food—I had been staying there three weeks, and doing needlework—there were a good many persons in and out of the house constantly—I did not see the prisoner again till she was at the police-office.

MARY BUCKLEY. I live in King's-road, Gray's-inn-lane. I was staying at the Life Guardsman public-house, about the time stated—I met the prisoner on the stairs with a small box, like the box now produced.

Cross-examined. Q. Is not this public-house next to the barracks? A. It is not far from them.

GEORGE PHILLIPS. I am a pawnbroker. I have a gown pawned by the prisoner on the 24th of August.

ROBERT KENNETT. The prisoner came to my house one evening, and brought this box with her.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Three Days.

2241. SOPHIA WELLER was indicted for stealing, on the 21st of July, 1 sheet, value 5s. ; 1 bolster, value 8s. : 1 flat-iron, value 1s. ; 3 blankets, value 1l. ; and 1 table-cloth, value 3s. ; the goods of Richard Perkins.

RICHARD PERKINS. I am a cabinet-maker, and live in Old Fish-street. I let a lodging to the prisoner, and a man whom she represented as her husband—I entered the room with the man—after we had been in the room some time, the prisoner came in, and asked if her husband had been there—I said, "Yes," and I took her.

WILLIAM RICHARD TUCKWOOD. I am assistant to a pawnbroker. I have a bolster pawned with me, but I do not know by whom.

WILLIAM JOHN LAWS. I have a blanket pawned with me—I do not know who by.

CHARLES WOODHOUSE. I am a pawnbroker. I have an iron—I do not know by whom it was pledged.

SAMUEL KETT (*police-constable C 353.*) I took the prisoner—she did not give me information where to find the things.

Q. Did you not say to the Magistrate that she did? A. The information she gave me respected the duplicates—she told the prosecutor where the articles were pawned in my hearing.

RICHARD PERKINS *re-examined.* I asked the prisoner about the articles—she hesitated at first, and then told me where some of them were pawned—I cannot recollect whether I told her it would be better for her to tell me.

NOT GUILTY.

2242. SARAH BEDFORD was indicted for stealing, on the 15th of August, 27 yards of linen cloth, value 1l. 7s. ; 1 shawl, value 10s. ; 1 pair of spectacles, value 6d. ; 1 pair of scissors, value 3d. ; 2 aprons, value

4*d.*; and 1 cap border, value 3*d.*; the goods of George Spurrett: and 1 shawl, value 10*s.*, the goods of Matilda Sparkes; to which she pleaded GUILTY. Aged .—Confined Six Months.

2243. WILLIAM WHITNELL and ALBERT BENSON were indicted for stealing, on the 25th of August, 24 skins of leather, value 4*l.*, the goods of Thomas Wood.

THOMAS WOOD. I am a tanner, and live in Russell-street, Bermondsey. I missed a roll of skins of morocco leather on the 26th of August—these are them—(*produced*)—here is a mark, which enables me to swear to them—Benson worked for me three years ago.

THOMAS WHITCHELO. I work for Mr. Wood. I finished part of these skins myself, and saw them safely folded up on the 25th of August, about half-past five o'clock in the evening, and next morning they were missed—these are them.

GEORGE KING (*police-constable H 111.*) I was on duty in White's-row, Spitalfields, on the night of the 25th of August, about twenty minutes past ten o'clock—I saw the two prisoners—Whitnell had this roll of leather on his shoulder—I asked where he was going to take it—he said, to the Curtain-road, and he had brought it from London-bridge—he was going the contrary way, and I took him into custody—Benson walked away rather quickly, but I am certain he is the person who was with Whitnell, and they were together when I spoke to them—I asked Whitnell who that person was, and he said he was a shopmate of his—I took Whitnell to the station-house, and inquired who his master was—he said, “Mr. Hextall, of Thames-street”—Benson was brought to the station-house the next morning, and I ran out and seized him directly—I have not a doubt of him.

Whitnell. I had them of a man in a blue apron, who told me to take them to the Curtain-road.

Benson. This young man met me, and asked me to take a walk with him, but I was not with him when the policeman took him.

WHITNELL—GUILTY. Aged 17. }
BENSON—GUILTY. Aged 17. } Confined Six Months.

2244. WILLIAM WILLIAMS was indicted for stealing, on the 20th of August, 1 cart, value 2*l.* 10*s.*, the goods of James Bristow.

JAMES BRISTOW. The prisoner came to me on the 17th of August, to know if I had a horse for sale—I am a baker, but I have been out of employ for some time, and was obliged to commence general dealer in fruit, and such things—the prisoner came for the purpose of buying a pony I had to sell—he wished to see it tried in harness—I put it in harness, and put my cart to it, and drove him to Woburn-mews, as he directed me—he said he had a new set of harness there, and if it fitted the pony he would have it—I took the pony into a stable there—the harness did fit—he then said he would buy the pony, but he wanted a friend to see it, if I would permit him to have it till ten o'clock next morning—as we were coming out of the stable he said, “You have a nice light cart, lighter than mine,” (pointing to a cart which stood there,) “and as you cannot make use of one without the other, perhaps you will allow me the use of that as well as the pony till to-morrow morning, and come and take your money for the pony, and then you can take it away”—I did not object to that—he took me to a public-house, and called for a pen and ink—he had a piece of paper, and he wrote on it, “You hereby agree to sell a bay pony for 4*l.*”—I looked

at it—he said, “You put your signature to that, it is only a matter of form, that you should not make an overcharge to-morrow morning when you come for your money”—I innocently did put my signature to it—I lent him the cart till the next morning—the next morning I went to the stable, and also to an office in Marchmont-street, where he said he would transact the business—I could not find him the whole day—I went to Mr. Braham, who gave me information, and I found the prisoner at a public-house in the Frenchman’s Island—I did not interrupt him while he was at supper, but when he came out I said, “I suppose you know what brought me here”—he said, “What?”—I said, “I want to know what you have done with my cart?”—“Your cart, fellow?” says he, “I bought it of you, and have sold it”—I had a young man with me, and said to him, “You are witness to that”—the prisoner said, “You may be witness, and do your best and your worst”—after that he came to some sort of terms—he said, “My good fellow, you shan’t lose a farthing by me”—I said, “I want none of your farthings, I want my property; you have got my horse and cart, and put it out of my power to maintain my family”—I met him several times afterwards, with a view to get my pony back, and at last gave him into custody—this is the paper he wrote—(*producing it*)—here is an addition to it now—I will swear these words, “and cart,” were not in it when I signed it—I will swear I did not sell him the cart.

Prisoner. I was about buying the pony, you said you would sell the cart—you took me round to a side of the cart that was broken, and said you could recommend me a man who would put a new side in for 11s. *Witness.* No, I did not—you said, “Do you want to sell the cart?”—I said, “I don’t know, it has been a dear cart to me, I gave 3*l.* for it, and it cost me 12*s.* to repair it; and now it wants a new side, which will cost me 11*s.*”

PETER HALDAY. I am clerk to Mr. George Richards, of Rathbone-place. The prisoner brought the cart that the prosecutor claims to me on the 20th of August, and had an advance of 25*s.* on it—he represented it as his own property—I had not known him before.

Prisoner. Q. I believe I told you you was not to sell it for less than 4*l.* 10*s.*? *A.* You did, and my reply was, that whatever amount it fetched I should consider it sold, as we advanced money on property intended for immediate sale.

Prisoner. I put a new side to it, and gave it two coats of paint—I agreed with the prosecutor that I would pay him on the Wednesday, as the cart was sold on the Tuesday.

JAMES DYER (police-sergeant E 2.) The prisoner was brought to the station-house, and showed me the paper, which I showed the prosecutor, who said it was not in the state in which he signed it—the words “and cart” were an addition to it.

Prisoner’s Defence. I had no intention of any felony; I agreed to pay 2*l.* 5*s.* for the cart, and have a witness to prove it. I asked the prosecutor what he would take for the cart, and he said, “2*l.* 5*s.*” I said, “Bring down the cart and pony, and I will try and buy them of you.” He did so, and showed me that one side of the cart was broken in, and said he would tell me of a man who would mend it for 11*s.* I sent the cart to my wheelwright’s the next day, and as the side was decayed, he put two new slates in, and said, “The best job would be to try to sell it.” I took it to Mr. Haldy, and told him not to sell it for less than 4*l.* 10*s.*, meaning

to pay the prosecutor 2*l.* 5*s.* I had no intention to defraud him of a shilling. He brought two men to me in a public-house, and asked if I could give him any money; I said I had none, if I could get some the next day I would give him some, but he should be paid on the Wednesday. We then came out of the public-house, and came on to Guildford-street, and then one of the men seized hold of me.

CHARLOTTE KIMPTON. I keep the Earl Grey beer-shop, in the Chalk-road. The prisoner and the prosecutor came to have a pint of beer at my place—I heard the prisoner say to the prosecutor, "You want to sell your cart, don't you," he said, "Yes"—the prisoner said, "What do you want for it?"—the prosecutor said "50*s.*"—the prisoner said, "Nonsense, I will give you 2*l.* 5*s.*"—the prosecutor said, "When will you pay for it?" the prisoner said, "To-morrow night you may come to my office, or have it here"—the prisoner lives in Marchmont-street—I do not know him to live there—both the prosecutor and the prisoner are strangers to me—I never went to the prisoner's house—I do not know that he has an office—this conversation was in our tap-room—there were two or three persons there, but I do not know who they were—I did not hear any thing about a horse—when I served them beer and took the money I went about my business—I was subpoenaed to come here by Mr. Huggard—he is a house agent, I think—he lives in Marchmont-street—I do not know whether he lives with the prisoner—I called at Mr. Huggard's this morning—I saw Mrs. Huggard—there is "House-agent" over the door—I have known Mr. Huggard about six months—I have nothing to do with him, only he comes to our house, and so do the prisoner and the prosecutor—I do not know how the prisoner gets his living—I called for Mrs. Huggard this morning, and she came with me—I did not see Mr. Huggard—I do not know how he came to call for me—I heard the conversation—I said what I heard—I said Mr. Williams bought the cart, but I did not know whether he paid for it.

JAMES BRISTOW *re-examined*. I went to the Earl Grey public-house on Wednesday evening, the 19th of August, to know where my property was but as to what this lady says, it is untrue—I saw the prisoner there at supper—Huggard was in his company, and I asked the prisoner for my cart—he had the cart on Monday, the 17th.

MRS. KIMPTON. This conversation took place on the Monday night.

JAMES BRISTOW *re-examined*. I was not there on the 17th, I never knew of the Earl Grey public-house till I received information from Braham; if it had not been for that I should not have gone—I was at home the whole evening on the 17th—the agreement about the horse took place in a public-house in Little Guildford-street.

RICHARD HUGGARD. I am a news-agent and stationer, and live at Nos. 38 and 58, Marchmont-street. I have lived fourteen months at Nos. 38—the prisoner has a stable in Woburn-mews, which he lets to Mr. Braham at so much per week—I was going up Gray's Inn-lane, and met the prosecutor with the pony in his cart—I asked how long he had had it—he said, "Three or four months," and he bought it at Barnet-fair—he gave him the prisoner's address, and said if he took the pony there it was probable he might meet with a person who would purchase it—I was present at the sale of the cart—the prosecutor called at my office two or three times, and made use of very bad language to the prisoner, and I told him to take him out.

JAMES BRISTOW re-examined. I never saw the prisoner in Mr. Huggard's office, he was always denied—Mr. Huggard met me one Friday, and said I had a likely-looking pony, did I want to sell it—I said I had just bought it—I did not say I had had it three or four months—I said I should like to sell it, and he said if I went to Mr. Williams's in Henry-street, I might meet with a customer—I went, and he was not at home, and then he came to me.

JAMES LUTON. I live in Buckingham-row, Pimlico, and am a carpenter and builder. On the night the prisoner was taken I happened to be present at the Red Lion public-house, in Guildford-street—Williams and Bristow were there—they were talking about the cart—I went with them to another public-house to make arrangements—I was asked to do so by the prisoner—I had been doing some work for him, and I expected to be paid that night—I heard the prisoner say to the prosecutor he should be able to pay him the money for his cart on Wednesday, according to their agreement; and after that the prisoner was given in charge for the cart—I believe the prisoner is a painter, but I have not known him above six months—I have known Mr. Huggard six or seven months—I had a house in Mitre-court, Fleet-street, to sell, and Mr. Huggard's father-in-law, Mr. Dudley, said, "I think my son-in-law will buy it."—I had it about seven years, and sold it to Mr. Huggard.

ANN HUGGARD. I am the wife of Richard Huggard. He is the prisoner's brother by two fathers—the prisoner has had an excellent character—I knew him some years before my marriage—I have been married four years—my husband is a news-agent and a house-agent—he buys a good deal of property—I do not know whether he has a house in the neighbourhood of Fleet-street—he does not tell me every thing.

(John Quick, a map-mounter and print-colourer, gave the prisoner a good character.)

GUILTY. Aged 40.—Transported for Seven Years.

2246. MARY BROWN and SARAH JONES were indicted for stealing, on the 9th of September, 2 bags, value 3*d.*; 20 sovereigns, 10 half-sovereigns, 1 crown, 3 half-crowns, and 1 shilling; the property of Thomas Henry Collins, from his person; to which they pleaded

GUILTY.—Confined Eight Months.

2247. EDWARD HARRIS DOWSETT was indicted for embezzlement.

WILLIAM CRUMP. I am a cheesemonger, in Goswell-road. The prisoner was my errand-boy—he took out things to our customers—if they paid him he was to pay the money to me—if he has received from James Hopkins, of Castle-street, Oxford-street, on the 5th of August, 7*s.* 2*d.*; or from Louisa Simons 3*s.* 3*d.*, on the 13th of August; or 8*s.* from Charlotte Peeling, he has not paid any of those sums to me—it was his duty to have paid them to me on those days.

Cross-examined by Mr. PHILLIPS. Q. How long had he been in your service? A. About eighteen months—he is about fifteen years old—his wages were 8*s.* a week—he had to feed, and lodge, and clothe himself—he used at times to receive as much as 1*l.* a day—I have not made a mistake—I have an apprentice, of the name of Hinton—the prisoner used sometimes to account to him.

JAMES HOPKINS. I deal with Mr. Crump—on the 5th of August I paid the prisoner 7s. 2d., and have the bill and receipt here.

LOUISA SIMONS. I live at No. 56, King-square. On Thursday, the 13th of August, I paid the prisoner 3s. 3d.

CHARLOTTE PEELING. I paid the prisoner 8s. on the 18th of August.

JOHN PINDER. I was shopman to Mr. Crump—the prisoner did not account to me for either of these sums.

Cross-examined. Q. Did he sometimes account to you? A. Yes.

ALFRED HINTON. The prisoner has been in the habit of accounting to me for monies—he has not accounted to me for these three sums.

Cross-examined. Q. You are rather young to have people accounting to you for money? A. Yes—I never made mistakes in my accounts—I cannot swear that I never made mistakes in my accounts—I did not swear I never did, I said I did not recollect it—we had a customer of the name of Hancock—I cannot swear that she was not applied to for money which she had paid to me, and I forgot to cross it out of the book—it might have taken place, and I forget it.

COURT. Q. You must recollect such a transaction if it occurred; did you make a mistake, and forget to rub it out? A. I might have done it.

NOT GUILTY.

2248. JAMES HARRINGTON was indicted for stealing, on the 22nd of August, 1 saddle, value 12s.; 1 martingale, value 2s.; 1 pair of reins, value 6s.; 2 bridles, value 6s.; 1 pair of harness, value 10s.; and 1 pair of traces, value 7s.; the goods of George Wise.

GEORGE WISE. I am a farmer, and live at Porto Bello farm, Nottingham. I employed the prisoner to break some colts of mine—on Saturday, the 22nd of August, I missed this property, and made it known at the station-house—this is the harness—I missed it on the 22nd.

CHARLES COLLINS. The prisoner brought this harness to me on Saturday evening, the 22nd, and said he brought it from his brother.

WILLIAM WIGGINS. I am a police-inspector. I went to several places, and found half of the harness at Collins's—I apprehended the prisoner at Collins's—the other half was got from a publican.

GUILTY. Aged 38.—Confined Four Months.

2249. WILLIAM SMITH was indicted for stealing, on the 24th of August, 1 time-piece and stand, value 14s., the goods of Edward Pearson.

JULIA PEARSON. I am the wife of Edward Pearson, a broker, in Harrow-road, Paddington. On the 24th of August the prisoner asked the price of a hearth-rug, and desired me to take it home to No. 15, Maida Vale, and said they would pay for it—I went, and found there was no such number—when I returned, a time-piece which I had left safe was gone—I had left my two little girls there—I did not send him for it.

LOUISA PEARSON. I was left at home, and the time-piece was there—the prisoner came back, and asked me if my mother had taken the time-piece—I said she had not—he asked if I could take it—I sent my little sister with it.

MARY ANN PEARSON. My sister sent me with the time-piece—the prisoner took me as far as the haircutter's, and told me to go back and fetch a wrapper—he had the time-piece—I went back, and saw no more of it—I am sure the prisoner is the man.

Prisoner's Defence. I know nothing about it.

GUILTY. Aged 33.—Transported for Seven Years.

2250. WILLIAM SMITH was again indicted for stealing, on the 20th of August, 6 brushes, value 13s. 6d., the goods of Harriet Frances Batchelor.

HARRIET FRANCES BATCHELOR. I am single, and live in Quebec-street, New-road. On the 20th of August the prisoner came to my shop, and asked to look at a set of shoe-brushes—I showed him some—he said he wanted larger ones—I showed him two other sets—he looked at them, and said he did not know which the parties would like, if I had any body to send with him to No. 15, in the Grove—a little girl was standing by my side—she said she knew where he said they were to go, and she would go—I gave two sets of brushes to the little girl, and have not seen them since, nor the prisoner, till he was in custody.

SARAH ANN GREEN. I was sent with some brushes—the prisoner was with me—he took me round the New-road, and at the corner he said, ‘Give me the brushes, I will wait here while you go and fetch the other set’—I gave them to him—he wrapped them up in a blue pocket-handkerchief—when I came back he was gone—I saw him afterwards going up the Harrow-road—I knew him again directly.

Prisoner's Defence. I am quite innocent of it.

GUILTY. Aged 33.—Transported for Seven Years longer.

2251. GEORGE HAMILTON was indicted for feloniously receiving of an evil-disposed person, on the 20th of August, 1 tea box, value 1s.; 4lbs. weight of tea, value 9l. 16s.; and 5lbs. weight of lead, value 7d.; he goods of Edward Hammet; well knowing them to have been stolen; against the Statute, &c.

EDWARD HAMMET. I am a grocer, and live in Silver-street, Golden-square. I lost a tea box and 44lbs. of tea on the 21st of August. In consequence of information I went, on the 22nd, to the prisoner's house, No. 50, Union-street—I there found the remains of the tea box, and some of the same description as mine—the remains of the box corresponded with the lid of the box I had at home.

Cross-examined by MR. PHILLIPS. Q. Where is the box? A. These are the remains of it—I had it from Mr. Bennett's—I have bought many boxes of tea of him—these are the boxes sold at the India House—there are thousands of them in London, and pretty much the same size—the top of the box would correspond with any box of the same size—the box was und in this state, but there are marks on the lead inside.

COURT. Q. Were these marks the same that the box you lost had? A. Yes.

MR. PHILLIPS. Q. What is the mark on the lead? A. A Chinese character—there is a Chinese character on every chest that comes—I cannot read it—they have various marks—I cannot swear it is a Chinese chest—we do not know that they come direct from China.

COURT. Q. How many parcels of tea had you in the box? A. One it was one chest—there were seven parcels of tea in the prisoner's house to the best of my belief, this is the remains of the box.

GEORGE JOHN RESTIEAUX (*police-constable E 49.*) I went to the prisoner's house on the 21st of August—he is a marine-store dealer, in Union-street, Middlesex Hospital—I saw him in the shop, and asked him if he had purchased a chest of tea—he said, “No”—I asked if he had one in his possession—he said, “No”—I said I had a warrant to search for tea, and, in company with the sergeant, I commenced searching, in the shop I found this bundle of green tea on a table behind the counter,

wrapped up in this handkerchief, and on a shelf I found a canister and this little caddy, with tea in them, which appears the same sort—I went into the cellar, and under some rags I found these pieces of wood, which are some part of a tea chest—I then went up stairs, and in the sitting-room I found this caddy, with two divisions of it nearly full of tea—they all appear to correspond—I went into the bed-room, and between the bed and the mattress I found this parcel of tea, which appears to be the same—I asked how he accounted for it, but I could not catch his answer.

Cross-examined. Q. Do you know whether he is married? A. I do not know—there is a woman living there, about twenty-one years of age—I saw Mrs. Curry there—it is green tea—I am no judge of tea.

ROBERT LESTER (*police-sergeant E 10.*) I went with Restieaux—I saw this tea found, as he has described, and these three other parcels—they all appear to be the same tea—I heard him asked where he got the tea from when the first parcel was found—he said, “I know nothing about it; it was not here when I went out;”—when I went into the cellar, I found the tea lead in an iron pail, covered over—I said, “What do you say to that, Mr. Hamilton?”—he said, “I bought the lead”—when the pieces of the chest were found, I said, “There is a tea-chest”—he said, “I know nothing about it; I sometimes buy pieces of wood with the bones I purchase”—when I went to the bed-room I questioned him about the parcels I found there—he said, “It is part of 2lbs. I purchased, and am paying for weekly.”

Cross-examined. Q. Did he not tell you that when he went out he left the shop in care of Mrs. Curry? A. Yes—he said, “I bought that lead,” not “I buy lead”—I believe his answer was, “I bought that lead”—I might have told the Magistrate that he said, “I buy lead”—I do not know that I did—I affected to give to the Magistrate the answer he made me—I believe he said, “I bought that lead”—it might have been, “I buy lead,” and if I swore it at the police-office, it was so—I did not mention that he left his shop in care of the woman, because I did not recollect it.

COURT. Q. What is that book which you have? A. We took it to the court, and he was asked to point out the entry of the lead, and he produced this entry in the book—(*read*)—“29, George-street. Bought of Ed King 5. 2 of lead”—these four parcels are the tea he said was part of 2lbs. that he was paying for weekly—I saw it found.

COURT to EDWARD HAMMET. Q. Is that mark on the lead what you know it by? A. Yes, the head of a figure—it is not on all chests—they are chop-marks—it is a Chinese character—they might make a great many marks of the same sort.

Cross-examined. Q. Will you swear that it is not on all? A. That is a character on all—there may be hundreds like this.

(Joseph Burleigh, carpenter, No. 21, Union-street; James Ryland, shoe maker, No. 14, Union-street; ——— Dignum, a general dealer; and ——— Cowland, a smith, gave the prisoner a good character.)

GUILTY. Aged 32.—Transported for Fourteen Years.

(Among the articles found at the prisoner's house, were five letters from convicts soliciting assistance.)

2252. GEORGE HAMILTON was again indicted for feloniously receiving, on the 21st of August, of an evil-disposed person, 30lbs. weight of beef, value 10s., the goods of Elizabeth Jarvis, well knowing the same to be stolen; against the Statute, &c.

RICHARD HAWKINSON. I live with Elizabeth Jarvis, in Foley-street, Marylebone. On the 21st of August I lost a piece of beef, which I had seen safe between eight and nine o'clock that morning—I took it out of the cart, and placed it on the block—I saw it produced by the officer—I believe it to be Mrs. Jarvis's.

Cross-examined by MR. PHILLIPS. Q. When did you miss it? *A.* About half-past six o'clock in the evening—this is the bone of the beef—I took the flesh off after I had examined the beef—I swear to the bone, as constituting a part of the meat.

GEORGE JOHN RESTIEAUX. I went to the prisoner's house on the 21st of August—I found a clod and sticking of beef, weighing 30lbs.—it was quite fresh—I asked the prisoner if he knew any thing about it—he said no, it was not there when he went out, it must have been bought by the old woman, pointing to Mrs. Curry—I asked her, in his presence—she said she knew nothing about it—I asked two others that were in the room, they knew nothing about it—his wife was not at home.

NOT GUILTY.

2253. **GEORGE HAMILTON** was again indicted for feloniously receiving, of a certain evil-disposed person, 2 bottles, value 1s. ; and 1 quart of capillaire, value 4s. ; the goods of Thomas Masson and another.

HARRY MASSON. I am partner with Thomas Masson. We are confectioners, and live in Great Portland-street. I lost two bottles of capillaire on the 21st of August—I have examined these two bottles of capillaire—I am confident they are mine—my label is on them, and my name.

ROBERT LESTER (*police-sergeant E 10.*) I found these on a washhand-stand in the prisoner's bed-room—I said, "What do you know of these?"—he said, "I can speak of them when I get to the place," meaning the station.

NOT GUILTY.

2254. **JOHN HARRIS** was indicted for stealing, on the 14th of August, $\frac{1}{2}$ lb. weight of butter, value 8d. ; 2lbs. 5oz. weight of bacon, value 1s. 8d. ; 4 half-crowns, 1 shilling, 1 sixpence, and 2 pence ; the property of Edward Frewin.

EDWARD FREWIN. On the 14th of August, about half-past eight o'clock in the morning, the prisoner came to my shop, and ordered me to send butter, bacon, and eggs, to Mrs. Fox, in Guildford-street, and change for a sovereign—I sent them by my boy.

EDWARD SAVAGE. I am in the prosecutor's service. On the 14th of August I went to take some butter, bacon, and eggs, to Mrs. Fox—as I was going along the prisoner met me, and asked whether I was going to the Portland Arms public-house—I said, "Yes"—he said he had made a mistake, he was going to order a larger piece of bacon and some more butter—he asked if I had got the change—I said, "Yes"—he asked me to give him the bacon, and butter, and change for Mrs. Fox, and he gave me his sovereign, which is a counterfeit—I am quite sure he is the person.

Prisoner. Q. Where did I meet you? *A.* In John-street—I said at the station-house that you were the man.

ELIZA FOX. I did not send the prisoner for any thing on the 14th of August, nor did I receive any thing from him, or see him, till he was at Latton-garden.

Prisoner's Defence. When the boy was first at the station-house he was asked I if was the man ; he hesitated, and was asked a second time, when

he said he thought I was the man—he was asked if he was sure; he then said he was, he said he knew me by coming to his master's shop.

GUILTY. Aged 53.—Transported for Seven Years.

(There was another indictment against the prisoner.)

OLD COURT.—*Wednesday, September 16th, 1840.*

Third Jury, before Mr. Sergeant Arabin.

2255. **SAMUEL GEORGE FISHER** was indicted for feloniously forging and uttering an indorsement upon a bill of exchange, with intent to defraud Messrs. Masterman, Peters, and Co.; also for a larceny; to both of which he pleaded

GUILTY. Aged 18.—Transported for Ten Years.

2256. **FREDERICK MILLS** was indicted for stealing, on the 19th of August, 1 bag, value 5s.; 1 pistol, value 14s.; 6 shirts, value 1l.; 6 pairs of stockings, value 6s.; 8 cravats, value 8s.; 2 handkerchiefs, value 7s.; 2 jackets, value 10s.; 1 apron, value 2s.; 1 pair of shoes, value 4s.; 3 books, value 3s.; 1 writing-book, value 9d.; and 2 pairs of gloves, value 1s.; the goods of William Peckit: to which he pleaded

GUILTY. Aged 23.—Transported for Seven Years.

2257. **CHARLES JONES** was indicted for stealing a cloak, a pair of trowsers, a coat, and other articles, value 7l. 14s., the goods of James Barritt, in his dwelling-house; to which he pleaded

GUILTY. Aged 21.—Confined Six Months.

2258. **JOHN HILL** was indicted for stealing, on the 25th of June, 1 gauge, value 2s.; 1 square, value 2s.; 1 spoke-shave, value 1s.; 1 bevel, value 1s. 6d.; 1 saw, value 2s.; and 2 planes, value 4s.; the goods of Robert Rochett Davis Morrell, his master.

ROBERT ROCHETT DAVIS MORRELL. I am a cabinet-maker. The prisoner was my journeyman—he did not live in the house—I missed the articles stated, from the shop, between the 25th and 29th of June—I discharged him, on the last Saturday night in June, in consequence of a little dispute about what he demanded.

WALTER FIELD CROW. I am a pawnbroker, in Stanhope-street, Claremarket. I produce a saw pawned by the prisoner, and a gauge, pawned I do not know by whom.

ARTHUR JOHN NORTH. I am a pawnbroker, in Farringdon-street. I produce a plane pawned on the 25th of June, I cannot recollect by whom—this is the counter-duplicate which was given for it.

ROBERT WHEATLEY. I am a policeman. The prisoner was given into my custody by the prosecutor on the 4th of September—I found five duplicates on him, one of which is for the plane—I found it at the pawnbroker's next morning.

(Property produced and sworn to.)

Prisoner's Defence. I wanted the plane to make some joints with. master said I might take it, which I did, and I pledged it to redeem other things which a man who worked with me had pawned.

R. R. D. MORRELL re-examined. I never permitted him to pawn my goods; he took them entirely without my knowledge.

GUILTY. Aged 24.—*Recommended to mercy.*—Confined Two Months.

Before Mr. Baron Rolfe.

2259. **GEORGE GHRIMES** was indicted for burglariously breaking and entering the dwelling-house of George Finmore, about the hour of two in the night of the 25th of August, with intent to steal, and stealing therein, 10 tame pigeons, price 10s., his property.

WILLIAM SHAW. I am a policeman. I was on duty on the 26th of August, and saw the prisoner in Collingwood-street, Bethnal-green, about half-past one o'clock at night—I noticed that he limped, and had only one shoe on—I observed his right hand in his pocket—I came up to him and found he had in that pocket ten live pigeons, and one duck just killed—I asked him where his shoe was—he said it hurt him, and he had taken it off and put it in his pocket, and it must have dropped out—I asked him whose pigeons those were—he said, his brother-in-law's—I first asked what he had in his pocket—he said, "Live stock," and took one out—I asked how many he had got—he said, fourteen or fifteen; that his brother-in-law had bought them, at 18d. each, of a man named Lazarus, in Humbleton-street, Commercial-road, to take to market in the morning—I asked where he was going to take them to—he said, to his brother-in-law's, in Primrose-street—he said, on his way to the station-house, that he had a duck—I took off the shoe he had on—another shoe was afterwards produced which corresponds with this—I have the pigeons here—four of them are young ones taken from the nest.

GEORGE WEBB. I am a sail-maker, and live With George Finmore, at No. 2, Grove-street, Commercial-road. He keeps pigeons—there were fifteen in the loft above the back-room—you get to it by a trap-door from the back-room—I counted them on Saturday, the 22nd—they fly up into traps, and cannot get out unless they are opened—we let them out occasionally—I missed twelve on Wednesday, the 26th, soon after seven o'clock in the morning—they were worth 8s.—I examined the loft in consequence of something a neighbour said, and found the roof of the dormer torn off—the bottom of the dormer remained firm—a person could get in there—I was up there on Tuesday morning, it was safe then—I afterwards saw some pigeons in the policeman's custody.

JAMES BLUNT. The prisoner lodged at the back of the house where I live, not in the same house, but in a house behind mine, two streets from the prosecutor's.

JOHN SHEARER. I am a policeman. On Wednesday, the 26th of August, about one o'clock in the morning, I was in Commercial-road, and heard a cry of "Police," and heard somebody coming up Grove-street, just before—I went down a court in Grove-street, got over the back-wall of Mr. Dale's, a surgeon, and on the roof of Mr. Hobbs, a baker—I saw some tiles off the roof—I saw a woman, when I got over the wall, pick up this shoe off the ground, just by the back-door of Mr. Hobbs's premises, which are three or four doors from Finmore's—I examined the roofs of three or four houses along there, and found the tiles broken all the way along in three or four places, in the direction of Finmore's, but I did not go quite to Finmore's—I could see marks on the roof of Hobbs's house, where they had got up—they had broken the water-shoot—I compared the shoe with the wall, there was mortar and whitewash on the shoe, and mortar and whitewash rubbed off Hobbs's wall—I produced the shoe to Shaw.

(Property produced and sworn to.)

Prisoner. I hope you will consider this is my first offence.
GUILTY. Aged 19.—*Recommended to mercy.*—Confined Six Months.

Before Mr. Justice Maule.

2260. DANIEL DAVIS was indicted for feloniously and knowingly uttering a forged bill of exchange for 108*l.*, with intent to defraud Francis Stevens; to which he pleaded

GUILTY. Aged 41.—*Recommended to mercy.*—Confined Two Years.
 (The prisoner received a good character.)

2261. WILLIAM MUNRO was indicted for unlawfully, maliciously, and feloniously assaulting Mary Ann Langley, on the 24th of August, and cutting and wounding her on her head, with intent to do her some grievous bodily harm.

MARY ANN LANGLEY. I am a widow, and live in Chatham-gardens, Hoxton, with James Burkitt—we live together as man and wife, and have done so between five and six months. On Monday night, the 24th of August, about a quarter-past twelve o'clock, I was going home with Burkitt, and in Plummer-street, City-road, about four doors from Ebenezer-street, I saw the prisoner—I had hold of Burkitt's arm—I was next the wall—I never saw the prisoner before—he ran very violently round the corner up against me—I said, "Can't you mind where you are driving to?"—he then up with his stick, struck me on the head, cut my head, and laid me senseless against the wall—I supported myself with the shutters as well as I could—I saw Burkitt trying to lay hold of the stick, to prevent his striking me, and the stick came across his face—he did not think it had struck me till I called out—when I recovered a little, I saw him and Burkitt struggling—Burkitt was trying to hold him till a policeman came—my head bled very much indeed—somebody loosened the prisoner from Burkitt, but in a few minutes he was in the policeman's arms—I do not know whether he got out of sight—the policeman brought him back, and asked if I gave charge of him—I was led to the station-house between Burkitt and another person—I have been ill a fortnight from the blow—I have not been attended by a doctor—a surgeon dressed my head at the station-house.

Cross-examined by MR. PHILLIPS. Q. What name did you give before the Magistrate? A. Langley, not Langar, that I swear—I did not say before the Magistrate that I was Burkitt's wife—when I went to the station-house I gave my name as Mary Ann Burkitt, but not at the office—I was not asked whether I was his wife at the station-house.

Q. Did not the Magistrate ask you over and over again if you were prepared to swear that, and then you said, "No," but you were living with him as his wife? A. No—I had not been drinking that night, I was quite sober—Burkitt's wife is alive—he has been away from her seventeen years, and she is living with another man—nobody was with me on the night in question but Burkitt—I did not call out "My father, my father!"—I did not take hold of any other person, and accuse him of being the man who struck me—I did not see a lame man with a stick there—I saw him at Worship-street, he was examined there—I did not say he was the man that struck me—Burkitt was sober, as far as I know—I went to fetch him, and he seemed perfectly sober.

COURT. Q. Was there any talk at the police-office about your going by the name of Burkitt? A. I told the clerk I had made a mistake, he put it down in my own name—at the police-station I gave my name as

Mary Ann Burkitt, but when I got home out of my flurry, I felt it was wrong—I am commonly called Mrs. Burkitt.

JAMES BURKITT. I was walking with the prosecutrix—the prisoner ran against her, and struck her with a stick—I could not see what sort of a stick it was, it was done so momentary—I laid hold of him, and tried to get the stick—I did not notice it, but I had hold of it several times—we wrestled together, and fell on the ground—I was on the ground five or six or seven minutes—he got up and got away from me—a female held my hands, and tried to rescue him from me—he got up—I do not know whether he ran or not, but the moment I got up I ran towards where he went, and found him in the policeman's hands, I should think twenty-eight or twenty-nine yards from where it happened—it was gas-light, I could see the prisoner clearly—I had never seen him before—I did not notice the stick in the struggle.

Cross-examined. **Q.** Were you sober? **A.** Yes, quite—I get drunk at times—Mr. Grove said I was drunk when I went before him, but it was the agitation and one thing or other—he would not hear me, and adjourned the Court till Saturday that I might be sober—I had no stick with me that night—I did not go about the crowd like a madman, flourishing a stick over my head—I swear that positively—I had been at the King's Arms public-house, on Holborn-hill, before I met the prosecutrix—I had been there two hours—I had a glass of brandy and water there because I was not well—I was along with an overseer, where I have worked two years, and he called for a glass of brandy and water, and gave it to me—my inside was bad—I took nothing else there—I had a pint of porter afterwards at the Eagle public-house, in Redcross-street—the prosecutrix was with me there—she had half-a-quartern of rum between herself and another female—I had not been to any other public-house that evening—I was quite sober—I was not sober at the police-office certainly—I presented myself as a witness to give an account of the transaction, as far as laid in my power—I was not there when the prosecutrix was sworn—the prosecutrix called the police—it was not a by-stander—I saw no one near—twenty or thirty persons assembled afterwards—I did not see a little lame man with a stick—the prosecutrix did not catch hold of such a person, and say he was the man to my knowledge—I did not hear her call out, “My father, my father”—my wife is living—we have been parted twelve years—I lived with a female named Evans before I lived with the prosecutrix—she is now in the workhouse—I have not lived with any body else.

Court. **Q.** Is your wife living with another man? **A.** Yes, and has been for the last ten or twelve years.

MICHAEL JAMES FARRELL. I am a policeman. I was on duty on the night of the 24th of August, about half-past twelve o'clock, and heard loud screams of “Murder” and “Police”—I went up—the prisoner came towards me, and wished to give Burkitt in charge for assaulting him—he was very drunk, and very greatly excited too—the prosecutrix came up, and gave him in charge for assaulting her—she was bleeding very much at the side of her head—I took the prisoner to the station-house—he was charged with striking the prosecutrix—he said Burkitt had struck him first—I kept the prisoner at the station-house till next morning—while he was there, this stick was brought to the station-house—I showed it to him at Worship-street, and he said it was his—I have the prosecu-

trix's clothes here—they are are soaked in blood—when the prisoner was waiting to be taken before the Magistrate, two of his friends came to him, and asked what he was going to say—he said he was very drunk, and he did not know what he had done last night—they told him to say that he was taking supper, and had rather too much wine, that he met a number of girls in the City-road, there was bustle, and the husband went to strike him, that he went to strike the husband again, and instead of which he struck the prosecutrix.

Cross-examined. Q. This was what two persons advised him to say? A. Yes—he had told me the night before that Burkitt assaulted him, and that he came to put himself under my protection.

GEORGE WILLIAM HENRY COWARD. I am a surgeon attending the police. On the night of the 24th of August, I went to the station-house, and saw the prosecutrix bleeding very profusely from a contused wound on the right side of her head—it was given by a stick or some blunt instrument—I did not apprehend it to be dangerous—it was a severe wound—the skin was broken in several places—I think this projection in the stick caused it—it was done by one blow.

THOMAS BALLASTON. On the 24th of August I was in Plummer-street, and heard a cry of "Police"—I went up, and saw the prosecutrix and Burkitt—they both had hold of the prisoner—I had a black ebony stick with me—there was a bustle and scuffle, and the prisoner got away—the prosecutrix laid hold of me, and said, "You have got the stick, and you did it"—I said, "It was not me, I never struck you, I have only just come up"—she then let go of me—she had some blood on her shoulder—she and Burkitt were both staggering—I thought she was in liquor, but I could not say for certain whether it was with liquor or the blow—Burkitt appeared very much in liquor, much more so than the woman.

Cross-examined. Q. Did not both of them appear to be drunk? A. Both.

MRS. LANGLEY *re-examined.* I did not see Ballaston that night—I never said, "It was you struck me, you have a stick"—I never saw him that night.

ANN MACKAY. I heard the cry of "Police," and went up—I found Burkitt and the prosecutrix struggling with the prisoner—they held him in a corner—the prisoner stood speechless—the prosecutrix was wounded at the time—the prisoner afterwards said, "My good man, give me my stick, I never touched your wife"—the prosecutrix appeared to be in liquor—I was quite close to her, and she smelt of spirits and porter too—she struggled very much with him, and was down several times.

Cross-examined. Q. You saw Burkitt? A. Yes, with a stick in his hand, he was holding it over the prisoner's head—I am sure of that.

JANE PRATT. I heard a cry of "Police," and saw a struggle—I went up, and saw Burkitt underneath, with his hands fixed round the prisoner's throat, choking him—I unloosed one of his hands, and a person unknown to me caught the other hand, and the prisoner got up—the prosecutrix had hold of his collar, and was kicking him, and laying on his chest—when he got up, he said, "My good man, give me my stick, I have injured your wife"—the other using a bad expression, said, "I will be master"—the prisoner said, "I am willing to go any where, you but insulted me first."

Cross-examined. Q. Did you smell the prosecutrix's breath? A. Yes

—she smelt of rum very offensively indeed—I was obliged to put my face close to her to get the prisoner loose, and she fell down.

NOT GUILTY.

Before Mr. Baron Rolfe.

2262. WILLIAM BUGLER and JAMES BATHGATE were indicted for stealing, on the 28th of June, at St. Marylebone, 1 300*l.* Bank-note, the property of Edward Wenman Martin, the master of the said William Bugler, in his dwelling-house.

MESSRS. CLARKSON and BODKIN conducted the Prosecution.

EDWARD WENMAN MARTIN. I live at No. 61, Upper Seymour-street, Portman-square, in the parish of St. Marylebone. The prisoner Bugler was my butler and footman in June last, and had been in my service some time—early in this year I had a 300*l.* Bank-note—my banker's book was enclosed in this paper, sealed up, and I placed the 300*l.* note in the fold of the paper—I cannot remember when it was—it was probably four or five months from this time—the note was quite concealed from any body but myself—a person lifting the parcel up had an opportunity of seeing the note without breaking the seal—I wrote on the cover the number of the note—it is here in pencil—I put it into a drawer in my bed-room, which is over the back room—I keep waste paper and articles of no value in that drawer—I called it a litter drawer—it was not locked—on the 13th of July I had occasion to look for my banker's book—I had often looked at the parcel, but not opened it, but I had satisfied myself that the note was there about a fortnight or three weeks before the 13th of July—on the 13th of July I opened the parcel, and found the 300*l.* note was gone—I made a communication to the Bank of England—I had written the letter "M" on the note—this is it—(*looking at it*)—it corresponds with the number on the envelope, and has my initial "M" on it—Mrs. Martin is in the habit of seeing a great many female acquaintances on Sunday, and did so on the 28th of June—at the time of receiving the ladies it was Bugler's duty to be in the hall or library adjoining from two till six o'clock—his duty was in the lower part of the house—he could have no duty to perform which would require him to go into my bed-room at that time—if my slippers had been in my bed-room, it was the duty of the housemaid to fetch them down, not his—I went out on Sunday, the 28th of June, between two and three o'clock, to take a walk, and was gone between two and three hours.

Cross-examined by MR. BALLANTINE. Q. He had been in your service, I believe, about two years? A. On and off, but he left me for about six months—I have three female servants, no other man—there is no lady's maid—one servant attends to my wife—they would all have access to the bed-room—Bugler slept in the house—Bathgate was never in my employ—the Sunday on which I took a walk was the 28th of June—I have recollected the circumstance, and have no doubt of it—I cannot tell upon what day previously I had gone to the drawer—I think I may say within a fortnight—I might venture to say less—Mrs. Martin was receiving visitors on other days, but on Sunday she receives a great many—the visitors' servants never come into the house, that is the positive order—it is very uncommon at my house for other servants to be in the hall—my servants would lose their places if it was found out—the envelope contained the banker's book, and the note was put under one of

these flaps—I am perfectly certain the note was safe about a fortnight previous to the 28th of June—I had but one male servant—Bugler's business was not confined to the cellar—there was no limit to the work he had to do—I never directed him not to fetch my slippers down—I should have been rather surprised to have seen him in the bed-room—it is part of the duty of the female servants to put the room to rights—I am in the habit of leaving my slippers in the bed-room when I dress—I entertained a good opinion of Bugler's honesty.

JOSEPH SAVAGE. I produce the 300*l.* note from the Bank of England—it was paid in on the 30th of June—the name on it is "J. Batten, Newbury, Berks"—I gave 100 sovereigns for it myself, and a ticket for the remainder in notes at another office—that was at the request of the person presenting it—this is the ticket.

JOHN HAWKES. I am a clerk in the Bank. I paid the 200*l.* authorised to be paid by this ticket—I gave the notes, another clerk entered them—he called them over to me—I saw him enter them, and I am certain his entry was correct—he called them over from the book—there is ten 10*l.*, from No. 87159 to 87168, dated 3rd of April, 1840; twenty 5*l.* from No. 1306 to 1325, dated 1st of June, 1840. Six of the 10*l.* and five of the 5*l.* have been returned to the Bank, and among them, one 10*l.* note, No. 87160, and one 5*l.* note, No. 1313, the whole amount to 85*l.*

SARAH BROWN. I am one of the housemaids in the prosecutor's service. In June last, Bugler was the footman—Bathgate used to come to the house to see him—I came into the service on the 9th of April, the last time, and within about six weeks I saw Bathgate coming to visit Bugler—he used to come two or three times a week—he did not come for two months before Bugler was taken into custody—mistress was in the habit of seeing visitors on Sunday—I recollect the last Sunday in June, (the 28th,) very well—master went out about two o'clock—the other housemaid went out at the same time as master, and the cook was out all the morning—Bugler and I were the only servants in the house—mistress was at home—two or three visitors came in between two and three o'clock—I had occasion to go up stairs to my master's bed-room—it was not particularly in my care—the other housemaid has the care of it as well, but Bugler had nothing to do with it—I went up to make the bed about five minutes after master was gone out—the bed-room is over the back drawing-room—I made the bed and came down—I brought down the slippers, and put them in the library—I went up stairs almost directly afterwards with a jug of water, and saw Bugler coming down on the upper stairs, between the bed-room and drawing-room—he had no business at all up those stairs at that time—I said, "Where the deuce have you been, Bugler?"—he said, "For the slippers"—I told him I had brought them down—he was in a tremble, I recollect, and when he came down into the dining-room I asked him what was the matter with him, as he appeared very ill—he said he was ill, and asked me to fetch him some spirits, but I did not—he stopped in the dining-room a very short time, and then went down stairs—from the dining-room window I can see the area steps—after he had gone down I was at the dining-room window, and saw Bugler let Bathgate out—up to that time I did not know that Bathgate was in the house—I had not let him in—I saw him come out of the area—Bugler let him out at the area gate with the key—he unlocked it—they spoke to one another before they parted—Bugler came back to me in the dining-room, and said, *Jer*

(meaning Bathgate) had been again bothering him for some money—on the following Wednesday night, I was ironing in the kitchen, and heard a ring at the bell—I went into the area and found Bugler at the gate, or I should have gone up to answer the gate—Bathgate was outside the gate—they were talking—Bathgate appeared to be tipsy—I went back to the kitchen—Bugler returned to the kitchen in about five minutes, and said, *Jem* was quite tipsy, and he had come for some money, but he should come again next morning, and that he was going into the country to see his wife—I never saw him again till I saw him in custody.

Cross-examined. Q. Are you sure he said on the second occasion that *Jem* had come for money? A. Yes, quite certain—I have always been certain of that—I have been examined before—I am quite sure he said Bathgate was going into the country to see his wife—I have always been certain of that—I have been in the prosecutor's service altogether four years—my master does not change servants very often—I have been there now nearly six months—the other servant is not here—the cook has been fourteen months in the service, and the other housemaid four months, but she had lived there before with me—previous to that four months, there was another servant—the one I succeeded was Bugler's wife—the servants receive visitors—we have each permission to receive a visitor on Sunday, any female friend—there were never any visitors besides those we were entitled to have—I am quite certain of that—it was very seldom any body called except on Sundays, but there have been visitors call on other days—that was not against mistress's orders—she did not object if they did call—she has seen them on week days, and has not objected.

JOHN GARDNER. I am a stable-keeper, and live in Ely-mews, Ely-place, Holborn. I have known Bathgate since 1822—I saw him in June last at my place—I cannot tell about what time in the month it was—it must have been, I think, the latter end—he came to me, and said he should want me in the course of two or three days—I asked what for—he told me he wanted me to take a note to the Bank of England, to get change for a 300*l.* Bank-note—I asked him whether it was a just, honest note—he said yes, it was—nothing was said about where it was—two or three days afterwards he came to the stable, and showed me a 300*l.* note—he asked me whether I would go and get it changed—he said nothing as to where he got it—I was before the Magistrate about this—(looking at his deposition)—I cannot read without my glasses—he did not say any thing when he brought it, or before he brought it, as to where it came from, or was to come from.

Q. Did he say any thing about a drawer? A. He said there was a drawer up stairs, where there was a 300*l.* note—that was three or four days before I saw the note—it was not the first time he came to me, I believe it was the second—it was before he brought it—he said it was to be got at, that he could take and get it in five or ten minutes' notice—he came and showed me the 300*l.* note three or four days afterwards—when he brought it he said he wanted me to get change for it at the Bank of England—I told him no, I would have nothing to do with it, I had been in town thirty-two years—he said, “You are an old fool, and will never do yourself any good”—he went away—in an hour and a half I saw him again—he brought a bit of a note for me to take to a man in Barbican, to get the change of a 10*l.* note, where he had bought a Macintosh coat—I went to the house, and saw the man there, and gave him the note—he looked at me, and sent a boy with me with the change, instead of giving it to me—the boy did not give

Bathgate the change in my presence—I found Bathgate in the mews, and called him out of the stable, but did not see the boy speak to him—I did not see the boy go away—after that Bathgate asked me how I was getting on—I said, very poorly, and things were very bad with me; and he gave me a 5*l.* note, and 2*s.* for going with the note—he went up stairs at my place—I had a box there, which I gave him, as he said he wanted a box—

I did not see him take it away, or put any thing into it—I then went a public-house, and when I returned Bathgate was gone, and the box also—this is the box—(*produced*)—I kept the 5*l.* note about a week, and changed it at Spiller's—I think I saw him write my name on it—I have changed notes there before—(*looking at No. 1313*)—I see “Gardner, Ely-mews,” written on this, and “4—7—40, J. H. S.”—no doubt that is what Spiller wrote when I paid him the note—I have no doubt this is the note I paid him—I never knew Mr. Martin, nor where he lived—I never heard the name of Mr. Martin mentioned in any conversation I had with Bathgate—(*looking at his deposition*)—Bathgate told me he could get the note by a person who cleaned boots and shoes outside the door, but he never had access to the house—he never mentioned Mr. Martin's name—I never knew Mr. Martin's name till after I was taken to Hatton-garden.

Cross-examined. Q. Then it is not true that Bathgate told you he had got the note from the man who used to clean Mr. Martin's clothes, and carry his boots to his room? A. No, he never said so, he never told me that—I will be on my oath that he never said so—he never told me where he got the note—he said he could get it at five or ten minutes' notice—Mr. Martin's name was never used in my hearing—I read what was pointed out to me in my deposition—it is true—Bathgate did not tell me the note came from a man who cleaned Mr. Martin's boots and shoes—he told me it could be got at—that it laid in a book in a drawer—I think my deposition was read over to me, I have no doubt it was—I see Mr. Martin's name mentioned in it as being stated by me at the police-office—what I stated at the police-office was true, but I did not know Mr. Martin's name till I heard it mentioned at the office.

Q. I should like to know what you are? A. I see after horses, and take horses in—the man in Barbican did not know me, to my knowledge—I have lived in Ely-mews going on for five years—I have known Bathgate eighteen years—I never heard of Bugler—I have been intimate with Bathgate many years—I do not know where he lived—I never knew any thing of his circumstances—I do not know what he is.

Q. Did you think he was a sort of man likely to have 300*l.*? A. I do not know any thing about him—I knew nothing about where he got it but he told me it was an honest note—I could not tell whether his circumstances enabled him to possess such a note—he had had very good service—he might have it honestly—I could not tell where it came from—I have never been to his house—I know he lived at Collingwood Hall, in Northumberland, in 1822, as groom—I never knew a groom save 300*l.*

Q. When he said it was in a book in a drawer, I suppose you thought it was drawer in his own house? A. I could not tell—I did not think any thing about it—I did not know where it was—I did not think it a good job getting the 5*l.* note, I thought I deserved it—he has been a friend to me, and I have been a friend to him—I thought that was the reason he gave it me—he said it was for old friendship sake—I did not think it so—I have met with several such friends—I never got a 5*l.* note for being asked to change a 300*l.* note.

SAMUEL HART. I am a tailor and clothier, and live at No. 3, Barbican. Bathgate came to my shop for a Macintosh about ten weeks back, or near eleven weeks—it was about a quarter to twelve o'clock—he gave me a 10*l.* note—I gave it to Israel Cohen, who is in my service, to go to the Bank to get change—after I had sent him I told Bathgate that I had sent him to the Bank—he then seemed to be in a hurry to get to a conveyance in Holborn—he said he was going to Holborn, he must get there by twelve o'clock, there was a conveyance left there three times a week, and he wanted to send two parcels into the country—he went away without the change, saying he would call again in the afternoon for it—he did not call, but in about an hour after Gardner came, and produced a written order—I sent Cohen with him with the change.

ISRAEL COHEN. I was sent by my master with the 10*l.* note to the Bank—this is the note—I wrote on it, “Israel Cohen”—when I returned with the change I remember Gardner coming in—master sent me with him to Ely-place—I saw Bathgate there, and gave him the change—this is the note—(No. 87160.)

WILLIAM PENNY. I am inspector of the G division of police—I was called to Mr. Martin's house on the 14th of August, and in consequence of information which I had received I desired them to bring Bugler into the library, in the presence of Mr. Martin and the two housemaids—I told him there had been a 300*l.* note stolen, and I had traced the party who had stolen it, and that the party was in the habit of coming to see him at Mr. Martin's house—he seemed very much confused, and said he was innocent, and knew nothing about it—I took him into custody, and searched him, but found nothing relating to the robbery—on Sunday, the 16th of August, I went to Four Oaks, near Birmingham, to a house in which Bathgate lived with his family—I found him there, and apprehended him on the stairs—I told him I wanted him for a 300*l.* note stolen from Mr. Martin's house, 61, Upper Seymour-street, Portman-square—he said he did not steal it, nor change it, nor did he know who did steal it, but he would tell me who he got it from—he mentioned to me the name of the person from whom he said he had got it—he said he was to have 20*l.* for changing the note, that the person owed him some money, and was to make him a present of 20*l.*; that he got very drunk, and lost 50*l.*, and he took the person back 230*l.*, the remainder—I searched his house, and found the trunk I have produced, also a watch and some Irish cloth—he said he had bought the Irish cloth in London a few days before he left, and took his watch out of pawn in London previous to going into Warwickshire—I brought him to London, and as I was taking him from the House of Correction to Marylebone office, he told me he would take me to the spot where the money was, if the Magistrate would make a witness of him, but he did not want to be discharged till he took me to the spot where the money was hid, or he would write to his wife, or she should come up on Saturday with the money—I told him I could make no promise, I should acquaint the solicitor of it, and likewise the Magistrate, which I did, and I was sent down to his house last Sunday, the 12th of September—he had told me about this on Wednesday, the 7th, after he had been examined three times—when I got down to the place I found his wife there, and watched her—I observed her go into the garden, and saw her in the hen-house scratching the earth just about the hen-house—I went to her, and stooped, and she was lifting this

tin case out of the hole—I took possession of it—it contains one hundred sovereigns and eleven 5*l.* notes—it was about two feet under the ground—the notes are Nos. 1315 to 1325, inclusive, dated 1st June, 1840.

JOSEPH SAVAGE *re-examined.* The 10*l.* note No. 87160 came into the Bank on the 30th of June, the very day the 300*l.* note was changed.

BUGLER—GUILTY. Aged 36. } Transported for Ten
BATHGATE—GUILTY. Aged 39. } Years.

Fourth Jury, before Mr. Recorder.

2262. JOHN BEALE was indicted for burglariously breaking and entering the dwelling-house of George Owen Ramsay, on the 18th of August, at St. Pancras, about four in the night, with intent to steal, and stealing therein, 11 printed books, value 1*l.* 14*s.*; 1 strap, value 6*d.*; and 1 shoe-lift, value 6*d.*; his goods.—2nd COUNT, stating them to be the goods of Alfred William Young; to which he pleaded

GUILTY. Aged 23.—Confined Twelve Months.

2263. WILLIAM RIDLEY was indicted for stealing, on the 14th of September, 6 handkerchiefs, value 1*l.* 17*s.*, the goods of George Stuckey to which he pleaded

GUILTY. Aged 14.—Transported for Seven Years.—Parkhurst.

2264. MARY BARBROOK was indicted for stealing, on the 1st of September, 22 towels, value 18*s.*; 5 aprons, value 2*s.*; 3 handkerchiefs, value 3*s.*; 7 caps, value 4*s.*; 1 comforter, value 1*s.*; 1 pair of stockings, value 1*s.*; 2 cloths, value 3*s.*; 1 petticoat, value 2*s.*; 1 napkin, value 2*d.*; and 2 yards of printed cotton, value 6*d.*; the goods of Sophia Carden, her mistress; to which she pleaded

GUILTY. Aged 30.—Confined Twelve Months.

2265. HENRY TINSLEY was indicted for burglariously breaking and entering the counting-house of Philip Hooker, on the 26th of August, at St. Dunstan Stebonheath, *alias* Stepney, and stealing therein, 1 cash-box, value 5*d.*; 1 pair of scales, value 1*s.* 6*d.*; 1 box, value 6*d.*; 1 knife, value 2*s.*; 2 tool-boxes, value 1*s.* 6*d.*; 2 planes, value 2*s.*; 2 saws, value 1*s.*; 5 files, value 6*d.*; 1 anvil, value 6*d.*; 1 square, value 6*d.*; and 1 account-book, value 6*s.*; his goods.

WILLIAM FEARNE. I am a policeman. On the 26th of August, about half-past twelve o'clock at night, I saw the prisoner in Lant-fields, Bethnal-green, turning out of Dog-row into Northampton-street—he crossed the fields—he made a stop when he got under the railway arch, and then went on to Three Colt-lane, and into Abingdon-street—he then turned back again, and I stopped him, and asked what he had got—he said, “A box”—I asked what box, he said, “A cash-box”—one was a tin box, and two wooden boxes—I asked where he got it—he said “From a public-house, but could not tell me the name or sign—he said some man left them for him to fetch, and the man was gone into the country—he said he was going to take them to No. 32, Three Colt-lane—the boxes contained tools—there is no No. 32 in Three Colt-lane—I found a key, a pair of scales, a knife, and a book on him—he said he had had them three months.

Cross-examined by Mr. PAYNE. Q. How far was he from Raven-row A. About half-a-mile—I asked what was in them—he said he did not know—they were not open—I looked into them—the prosecutor's house is in the parish of Stepney.

JOHN RICHARD NORTH HOOKER. I live with my father, Philip Hooker, in Raven-row, Mile-end, he has a counting-house there—I saw these

articles in the counting-house, on the evening of the 26th, at nine o'clock—the yard is enclosed with gates—they were locked up at half-past ten o'clock, and the counting-house was locked at nine o'clock—next morning I found the counting-house door forced open, and the desk also, and I missed these things, and the cash-box and a broken key that had been left outside the desk, and the other articles in it—I have seen the prisoner about the premises about five years ago.

Cross-examined. Q. Were you the last person on the premises? A. The last person in the counting-house—I took the key away with me—it is in the hamlet of Mile-end Old-town—we pay taxes for the hamlet, and not for St. Dunstan's, Stepney—he must have got over the gate or unlocked the area gate—the counting-house door had been forced open with this axe, which I found lying outside the counting-house desk.

(Rose Price, wife of a fishmonger in Portsmouth-street, Lincoln's Inn-fields; and James Thorogood, farmer, Ware, Herts; gave the prisoner a good character.)

GUILTY. Aged 20.—Transported for Ten Years.

2266. HENRY TINSLEY was again indicted for stealing, on the 25th of August, 56lbs. weight of rope, value 10s.; 7 screw-taps, value 6s.; 2 dies, value 1s.; 1 knife, value 1s.; 3 rollers, value 6d.; and 1 basket, value 1s.; the goods of John Ridge: 1 jacket, value 1s., the goods of George Clark: and 1 pair of trowsers, value 3d., the goods of William Taylor.

WILLIAM FEARNE. I am a policeman. I was on duty in Lants's-fields on Wednesday morning, the 25th of August, about half-past five o'clock—I went under the railway-arch, and saw these things lying there—I saw what there was—I went out again, thinking some one had placed them there, to see if I could find another constable, to help me take them to the station-house—I went through several other arches, when I came back, I found the prisoner—he had undone the things, and was unpacking these taps and dies—I said, "Halloo, what are you up to?"—he said, "I only came in to ease myself"—he said he was going to work at the West India Docks—I let him go as he gave a pretty good account of himself, but I took notice of him—I afterwards took from him a flannel jacket in the prison—this is it—he had it on at the time I first saw him.

Prisoner. This jacket I bought in Whitechapel for 1s.

GEORGE CLARK. I live at Stratford, and work for Mr. John Ridge—his flannel jacket is mine—I know the other things, they belong to Mr. John Ridge—they were missed on the 26th—I had left my jacket in the engine-house—they were all taken together—the engine-house was locked up—we found the side-door open—they were safe at twelve o'clock the day before—at half-past four o'clock they were gone.

WILLIAM TAYLOR. I am watchman to Mr. J. Ridge. On the 25th of August I left the premises at nine o'clock, the engine-house was locked up—the articles produced were then safe—I saw them at seven o'clock—I saw the prisoner lying about that field a fortnight or ten days before—he worked about a day and a half, I think, on that spot, the latter part of that day, along with a man named Hill, for Mr. Ridge.

Prisoner. Q. Did you see me there the night the things were lost? A. I saw you there that forenoon, and you got a man's book, went to a public-house, and set him up a score of 15d. there.

GUILTY. Aged 20.

2267. TIMOTHY SHEEHAN was indicted for unlawfully, maliciously, and feloniously assaulting Robert Hood, on the 22nd of August, and stabbing and wounding him in and upon his left arm, with intent to kill and murder him.—2nd COUNT, stating his intent to be to maim and disable him.—3rd COUNT, to do him some grievous bodily harm.

ROBERT HOOD. I am fifteen years old on the 29th of this month, and am in the service of my uncle, Mr. Robert Martin, a lithographer, of No. 26, Long-acre—I know the prisoner—he had been in my uncle's service, and had left about a fortnight I believe before this happened, but I am not certain. On Saturday, the 22nd of August, he came to the premises—I had let a person out of the shop—when I let him out, the prisoner rushed into the shop from the street—there is a little counting-house in the shop—I went in there, thinking he might have something to say to me—I thought he wanted to speak to me—he followed me into the counting-house, and made a blow at my head with this basket-maker's bod-kin—(*produced*)—he struck at me with the pointed end—it was thrust down at me—the pointed end was towards me—I put up my left arm to defend my head—he struck me three times, and wounded me with the pointed end—it took effect on my arm in three places—he called me a b—— heretic—I did not understand what he meant by that, but I believe he is a Catholic—I called out, "Murder," and some men came down to my assistance—as they were coming down, the prisoner went into the street—I followed—I did not see him secured, I was in the shop at the time—I saw him just after he had been secured in the street—I bled a good deal—I got my wounds dressed at a surgeon's—I had not had any quarrel or dispute with the prisoner—on the morning before, he met me in Seven-dials, and said he wanted to have two minutes' conversation with me, but I did not stop to speak to him, because Mr. Martin had told me if I met him in the street I was not to speak to him—I had not been concerned in any way in his being dismissed—I never had a quarrel with him to my recollection in my life—my uncle told me not to speak to him, because he was such a man he would be very likely to ask me to get him back again.

MICHAEL CARROLL. I work for Mr. Martin—I shall be fifteen years old next November. On Saturday, the 22nd of August, I was at work at a side shop—I heard the alarm of murder, ran in, and saw the prisoner with this dagger in his hand, using it in this way—(*stabbing*)—this is the instrument—I ran up stairs for assistance, and when I came down, the prisoner was going out into the street, and he was concealing the instrument up under the sleeve of his coat.

SAMUEL MOYNIHAN. I live in Little Wild-street—I am an apprentice to Mr. Martin. Carroll called out my name, and said, "Come down, for God's sake, here is *Pat* murdering Robert"—I came down as quick as I could—when I got into the street, Robert said, "Oh, for God's sake protect me, here is that *Tim* trying to murder me," or "been murdering me," one of the two—Robert was bleeding from the arm—I saw the blood through his shirt—the prisoner had got an instrument like this concealed behind his arm—I could just see it as he stood—he had it in his hand when I came out, and when I looked at it, he put it up his sleeve—I went for a policeman, but when I returned, he was already in custody.

JOHN WICKINS. I am a basket-maker, and live in Little James-street, Covent-garden. On the 22nd of August, the prisoner came to me, and

wanted to borrow an iron to make a hole through his basket-bottom—I showed him one first—he did not like that, and I showed him this one—he said that would do—I gave it to him, and he went away with it—I saw no more of him till he was in custody—I told him to bring it back within five minutes, because it was not my own, but one of my shop-mates—he said he would bring it back in five minutes—I know this to be the instrument—half an inch has been broken off the point, and it has been ground down again in our fashion; it was not sent to the grinder's, which makes it very stumpy—the point is very thick, and it ought to be very sharp.

JOSEPH OSTELL. I am a constable of the parish of St. Martin. On the 22nd of August I saw a crowd in Long-acre—I took the prisoner into custody—he was walking away from Mr. Martin's towards the eastward—a person in the crowd said it was a pity he should be allowed to go away, as he had been murdering the boy—we had a little tussle together at first—he had his hands in his pocket—I took them out, thinking he might have some instrument there—he then said to me, "I know you very well, and will go quietly along with you; I have done very wrong, I am free to confess it; I meant for three days to murder him, and thank God I have not killed him"—he said he had deprived him of his bread—I cautioned him against making use of such words, and asked if he had not been drinking—he denied that he had, and repeated the same words again six or seven times—it was about nine o'clock in the morning—I received this instrument from some person at the station-house—the prisoner said when he saw it, "Ah, that is it."

Cross-examined by Mr. PHILLIPS. Q. Was it on his repeating the same thing over and over again, that you asked if he had been drinking? A. It was on his repeating it the second time—he seemed in a great state of excitement, so much so, I thought he was in liquor—there was no smell of liquor about him.

LIONEL JOHN BEALE. I am a surgeon, and live in Long-acre. On Saturday, the 22nd of August, Hood was brought to me about nine o'clock in the morning—I examined his left arm, and found three punctured wounds, about half an inch deep—they were such wounds as the instrument produced would make—I do not think they will at all impair the action of the arm—they were healed within ten days or a fortnight—I believe he can use his arm as well as before.

Cross-examined. Q. All danger is quite at an end I should hope? A. Quite so—there was no danger from the actual wounds—he might with the same instrument have killed the boy.

(James King, salesman, Covent-garden market; Owen Curley, boat-maker; Mrs. Taylor, wife of a wine-cooper; Jeremiah M'Carthy, labourer; and Horace Foley, labourer, deposed to the prisoner's peaceable and quiet character.)

GUILTY on the 2nd Count. Aged 49.—Transported for Fifteen Years.

2268. **JOHN WILLIAMS** was indicted for stealing, on the 11th of September, at Christchurch, 1 box, value 5s.; 2 account-books, value 1s.; 5 sovereigns, 10 half-sovereigns, 2 crowns, 39 half-crowns, 192 shillings, and 81 sixpences, the property of William Brown, in his dwelling-house.

CHARLES DEACON. I am shopman to William Brown, a cheesemonger in South-street, Spitalfields. On the 11th of September, at half-past eleven o'clock in the morning, I noticed the counting-house door open,

and the prisoner standing in the counting-house, which is at the end of the shop—he walked out—I missed the cash-box, and pursued him—he turned short round, ran a few yards, and dropped the box from under his jacket—I pursued and caught him, and took him to the station-house—the cash-box contained 28*l.* in gold and silver.

Prisoner. Q. Did you see me come out with the cash-box? *A.* Yes—I saw it drop from under your jacket—I saw you with it before you got out—there was a wagon standing in the street—when I charged you with stealing it, you were nearly across the street—when I took you, you were on the same side of the way as our house—you asked what you had done—you were making your escape as fast as you could before you were taken with it—you ran a few yards, then dropped it, and got behind the wagon—I did not pick it up.

JOHN ALFRED EDWARDS. I am in the employ of Mr. Gregory, in Needsby-court, Fashion-street. I heard something fall on the pavement, near a wagon—it sounded like a box—I found it was a box—I took it up—I afterwards saw the prisoner in the custody of Deacon, about twenty yards off—the cash-box was locked.

Prisoner. Q. Where was it? *A.* On the foot-path, near the wagon, by the side of the horses—I did not see you drop it—I cannot say whether I was nearer to you than Deacon—I was in a shop, and came out and took it up—I met the prosecutor himself on the pavement, and gave it to him—I did not see you.

WILLIAM BROWN. I am a cheesemonger in South-street, Spitalfields. I had seen my cash-box about eleven o'clock in the counting-house, on the table—it was locked, and contained 28*l.* in gold and silver—the counting-house door leading to the street is kept shut, and was not open when I left ten minutes before—I found it wide open afterwards, and heard that the cash-box was gone—I saw Deacon secure the prisoner about twenty yards from the shop—Edwards brought me the cash-box—it contained 28*l.*, and some account-books—I took the money out before I went before the Magistrate, but I found the 28*l.* in it when I opened it—my house is in the parish of Christchurch, Spitalfields.

Prisoner. Q. Where was I when he took me? *A.* About twenty yards from the shop, on the same side of the way—the money was produced before the Magistrates.

Prisoner's Defence. Is it likely I should go and steal a cash-box, and go right opposite his house, and drop it, and then walk to the other side of the way? When the man took me, and accused me of it, I said, "What did you say?" and went with him instantly. I had been to Smithfield, and was coming home, and as I passed the prosecutor's another man came by. I heard a man halloo something; I went across the wagon, and when I got further this gentleman seized hold of me, and said, "You have taken master's cash-box, you must come with me." I went to the station-house; the money was never produced before the Magistrate.

GUILTY. Aged 22.—Transported for Ten Years.

2269. CHARLES MITCHELL was indicted for stealing, on the 13th of August, 1 watch, value 16*l.*; 1 neck-chain, value 10*l.*; 1 watch-chain, value 1*l.* 10*s.*; 1 watch-key, value 5*s.*; and 1 locket, value 1*l.*, the goods of Mary Ann Ivers, in her dwelling-house.

MR. CHAMBERS conducted the Prosecution.

MARY ANN IVERS. I live in York-square, Regent's Park. On the

15th of August, I had a lodger named Miss Thompson—I came home that Saturday night after one o'clock—I had a watch and two chains—one chain hung round my neck—the other chain was attached to it, and a key, and a locket—I took the chain off my neck and laid the watch on the table in the parlour, and went to sleep on the sofa in the same room—I awoke before three o'clock, and then went to bed, forgetting that the watch was on the table—next morning, about eight o'clock, I missed the watch, and chain, and other articles—in consequence of suspicion, I discharged Julia Murphy, my servant.

Cross-examined by MR. BALLANTINE. Q. I understood you to call yourself Mrs. Ivers, are you married? A. I am not—I never have been—I call myself Miss Ivers—I keep the house, and have two lodgers sometimes—they are not always women of the town—I have had a respectable lodger there about two years ago, a gentleman—he was not a friend of a female lodger—he remained there for some months—he was a foreign gentleman, and his name was Mr. Stone—he paid me his rent—Miss Wilson and Miss Thompson were my lodgers at that time—Miss Thompson is living there still—she is not here, that I see—I have no reason to believe that she is—I went home after one o'clock—I had not been to the theatre—I had been out walking—I had gone out after nine o'clock—I had been walking part of the time, and standing talking to a lady friend, and part of the time taking a glass of wine, one glass or more, probably two—I had not taken enough to do me harm—I had been down Regent-street—I do not know the name of the wine vaults—they were on the right-hand side—I went in there about ten o'clock—I remained there a quarter of an hour with a lady friend, no one else—I did not converse with any one else—I asked for the wine, I forget what wine it was—it was not a bottle—I asked for a glass of wine—the landlord might have poken to me, no one else—I laid down on the sofa because I was fatigued—I seldom visit wine vaults.

MR. CHAMBERS. Q. Are you quite certain you put the watch and chain on the table? A. I am—I did not lose it before I got home—I was perfectly sober when I went home.

MARTIN WHITE. I am an old soldier, and lodge at the Blue Anchor, 1 York-street, Westminster—I am a pensioner at Chelsea Hospital—on Saturday night, the 29th of August, I was at the corner of Tothill-street, and saw four young men in company—the prisoner was one of them—I heard one say, "What have you made?"—the prisoner said, "I have made this here," (drawing a watch out of his trowsers pocket,) the other remarked, "A very good day's work"—in consequence of that I followed them about a hundred yards, saw a constable and told him of it—we followed them through the churchyard, and sent another to cut off their retreat—they were all secured and taken to the station-house—I attended at the police-office on Monday, and saw Julia Murphy there.

Cross-examined. Q. What time of night was this? A. About five minutes to twelve o'clock—they were all sober apparently—I have seen none of the other young men since—they all appeared respectable.

ABRAHAM WRIGHT. I am a constable. I assisted in taking the four men in custody—I searched the prisoner, and found this watch, two chains, and a key—I did not find any locket—I asked him if it was his watch—he said it was—I asked where he got it, he said he won it at a raffle—I asked where—he refused to tell me, or the party who put it up to be ruffed for—I asked if the chain was his, he said, no, he had borrowed it

—I asked who of—he refused to tell, and said he would satisfy the Magistrate—I asked his own name—he gave his own name and address correctly. “51, Marsham-street, Westminster”—he was not locked up, as his name and address was correct—he came to the police-office at Queen-square, on Monday, to claim the watch—Murphy was there, she saw it in my hand and said it was her mistress’s watch—I then secured the prisoner and took him before the Magistrate, and as soon as she saw him, she identified him as having been at her mistress’s house—he was among other persons—she immediately tapped me on the shoulder, pointed him out, and said “That’s the man there”—I believe what he said before the Magistrate was not taken down, but I will not swear it.

Cross-examined. Q. In addition to finding his name and address right—did you find him to be the son of a respectable tradesman? A. The son-in-law of a respectable tradesman—I inquired the address of one of his companions, and found it was respectable—it was at the same house as the prisoner lived at—the other was Bowling-street—they were working at respectable places.

JULIA MURPHY. On 15th of August, I was living as servant to Miss Ivers—Miss Thompson lodged there, and came home about half-past eleven at night, with a person—the prisoner is the person, I am certain—I had seen him there once before—on the Saturday night I saw him in her room—I was three or four minutes in the room with him and Miss Thompson, and had an opportunity of looking at him—I was there when my mistress came home—the prisoner had not left the house then—I am quite sure he did not go out till half-past one o’clock—I did not let him out, but I did not lie down before half-past one, and he could not have gone out before that without my knowledge—in the course of the night, I was called up by a policeman, who said the street door was open—I did not tell my mistress of that—next morning I heard of the watch being stolen, and was sent away—on the Saturday night, a week after, I was taken up on suspicion, and was discharged—I was afterwards at the Police-office at the 31st, about a friend of mine who was taken up for being drunk—I saw one policeman showing the watch to another—I immediately said, “That is my mistress’s watch”—(*produced*)—this is it, and the chain I am sure is my mistress’s—I asked the policeman if there was not a small chain to it, and found there was—I was afterwards taken into the office, where there were several people standing, and the instant I saw the prisoner, I recognised him as having visited Miss Thompson—I am quite sure of him.

Cross-examined. Q. How many servants were there at this house? A. Only me, two lodgers and my mistress—I let my mistress in, and she went into her own room—I did not see her on the sofa—I sit up at night if any body is out—there are not a great many visitors at the house—I have lived there eight years—Miss Thompson had been there about three months—the prisoner came there about half-past eleven o’clock at night—I let him in—they immediately went up to their room—I cannot tell how often I have let people in with Miss Thompson, not very frequently—there was another young woman there besides her, of the same description—I did not let visitors in to her frequently—I should know some of those persons again.

COURT. Q. In coming out of the house, must persons pass through the parlour? A. There is only one door—the parlour-door is not left open—the parlour-door was open when the street-door was found open—it was about half-past two o’clock.

MARY ANN IVERS *re-examined*. This is my watch and chain—the locket is not here—a person must pass the parlour door to go out.

JULIA MURPHY *re-examined*. I have known the watch eighteen months—I have seen it often, and cannot be mistaken in the watch or chain—no one has told me to say that. **NOT GUILTY.**

NEW COURT.—*Wednesday, September 16th, 1840.*

Sixth Jury, before Mr. Common Sergeant.

2270. HENRY DANN was indicted for stealing, on the 11th of September, 2lbs. weight of sugar, value 1s. 6d.; 1 printed book, value 6d.; 1 cannister, value 9d.; $\frac{1}{2}$ lb. weight of soap, value 3d.; and 1 handkerchief, value 9d.; the goods of George Lloyd, his master; to which he pleaded

GUILTY. Aged .—Confined Four Months.

2271. WILLIAM ROWLAND was indicted for stealing, on the 26th of August, 36 pairs of stockings, value 10l., the goods of John Benjamin Neville and others, his masters.

MR. CHAMBERS conducted the Prosecution.

WILLIAM FOWLER. I am a porter, in the employ of Messrs. Neville and others. The prisoner was one of their porters—it was his duty to bring a box of dust from the back kitchen, and carry it through the lower warehouse, about nine o'clock in the morning—I received information, and on the morning of the 26th of August I went into the upper warehouse, where I could watch what was going on without being seen—about half-past eight o'clock I saw the prisoner come through the warehouse with the dust-box, and come back to about the middle of the warehouse—he there opened a drawer, and took out a white paper parcel, then opened another drawer, and took out another white paper parcel—he then opened a third drawer, and took out a parcel in a blueish paper—he took the box and the parcels, went through the warehouse, and out of the door—I informed my master.

EDWARD MEDGET. I am one of the firm of John Benjamin Neville and others—I reside on their premises, in Maiden-lane, in the parish of St. John Zachary. In consequence of information from Fowler I went up to the prisoner's bed-room—he slept on the premises—I found him there, and charged him with having stolen three dozen of stockings—he denied it—another porter was then in the room—I desired him to leave, and I then told the prisoner it was no use his denying it, as I had a witness who saw him do it—he then said, if I would go down stairs, he would give them to me—I went with him to the back kitchen—he there put his hand into a box containing waste paper, took out two parcels, and gave them to me—one was in a white paper, and the other in a blueish paper—he said, "There they are, sir"—I sent for an officer—these are the parcels—I can identify them by the marks on the wrappers—they contain silk stockings.

Cross-examined by MR. JONES. Q. How long had he been in your service? *A.* About two years—he had a good character, and I was very much surprised that he should commit such an act.

HANNAH MINTENHALL. I am cook in the prosecutor's service. I

found another parcel in the waste-paper box—I gave it to one of the gentlemen.

HOWELL GODDARD. I am an officer. I took the prisoner, and have the parcels of silk stockings.

GUILTY. Aged 21.—Confined Nine Months.

2272. JOHN THOMPSON was indicted for stealing, on the 29th of August, 1 brush, value 1s. 6d., the goods of George Stevens.

GEORGE STEVENS. I live at Vincent-terrace, Vauxhall Bridge-road. I left home on the 29th of August to go out in my employ as an omnibus driver—I left my brush on the drawers—I came back about ten o'clock at night, and it was gone.

Cross-examined by Mr. BALLANTINE. Q. Are you sure you saw that brush in the morning? A. Yes—I have no particular remembrance of that morning, only I brush my clothes every morning.

COURT. Q. Can you tell when you lost the brush? A. I cannot exactly—I leave the brush on the drawers—I had used it one morning and saw it at the police-office the next morning.

SARAH SHEPHERD. I am the wife of David Shepherd—the prosecutrix lodges with us. On Saturday afternoon, the 29th of August, I saw the prisoner in Stevens's room, with a towel and a pair of boots in his hand—I asked what business he had there—he asked if a person named Clark lived there—I said, “No, but I know that towel”—he tried to get by me but I called the officer, who took him, and found the brush on him.

WILLIAM WADHAM (*police-constable B 94.*) I took the prisoner, and found this brush on him.

GEORGE STEVENS. This is my brush.

Cross-examined. Q. Have you ever had the brush locked up? A. I cannot say—I have at times kept it in a drawer—it is mine, I am certain.

GUILTY. Aged 21.—Confined Six Months.

2273. JAMES DAVEY was indicted for stealing, on the 23rd of August, 4 pairs of stockings, value 1l.; 5 quires of paper, value 2s. 6d.; 2½ yards of linen cloth, value 4s.; 2 candles, value 1s.; 1 necktie, value 1l.; 2 shirts, value 10s.; 1 pair of braces, value 1s.; and 1 vest, value 13s.; the goods of Mary Ann Proctor, his mistress.

MARY ANN PROCTOR. I live in Pall-mall East—the prisoner was in my service. In consequence of information I sent for an officer—to get the stockings, the paper, and other things produced, I believe to be mine.

ANGELINA HOOK. I am in the prosecutrix's service. On the night of the 23rd of August I saw the prisoner bring a bundle under his arm down into the kitchen—an officer was sent for, the bundle was searched, and contained this breast-pin.

JAMES BEAZELEY (*police-constable A 67.*) I was sent for—I searched the prisoner's box in his presence, and found these two pieces of linen, black silk handkerchief, two mould candles, five quires of paper, and a gold pin in his bundle—some other things were found at a boarding-school at Ealing, with a woman who had been cohabiting with the prisoner by her own confession—when I found the property in the prisoner's box he said it was not his mistress's, but after I found the pin he acknowledged to the whole—he said to the prosecutrix, “It is your property, ma'am—I hope you will forgive me.”

Prisoner. Q. Did not my mistress say, “James, you have got another

situation to go to ; if you will say the stockings are mine, I will not give you in charge ?" *A.* She did make that observation.

MARY ANN PROCTOR re-examined. I have no mark on any of these stockings, but my housemaid had them down stairs to wash, and they were taken wet out of the wash-tub—this paper was left in my house—I have lost some linen cloth, and to the best of my belief this is it, but there is no mark on it—these two shirts belonged to gentlemen who had been lodging in my house—one has the gentleman's name written on it in full, and the other has the initials—these were found with the woman who cohabited with the prisoner.

NOT GUILTY.

2274. *JAMES DAVEY* was *again* indicted for stealing, on the 25th of August, 1 breast-pin, value 3s., the goods of Carl Fromel.

CARL FROMEL. I am valet to Mr. William Hunt, who lodged for five months at Mrs. Procter's, No. 6, Pall-mall East—it is a boarding-house, where respectable gentlemen lodge—this is my breast-pin, I lost it from my drawer.

JAMES BEAZELEY. I was called in, and searched a bundle which the prisoner had—I found this pin in the lining of a waistcoat in the bundle—the prisoner said the bundle was his own.

Prisoner. I picked the pin up, leading from my bed-room stairs to the kitchen—it was inquired for in the morning, and I did not like to say I had picked it up—I intended to put it near the door where I picked it up.

GUILTY. Aged 29.—Confined One Year.

2275. *JOSEPH BURGESS* was indicted for stealing, on the 22nd of August, 1 ton weight of coals, value 1*l.* 10s., the goods of Charles Bell, his master ; to which he pleaded

GUILTY.—*Recommended to mercy.*—Confined Four Months.

2276. *FREDERICK LEWIS GROVES* was indicted for embezzlement.

ANN SWAINE. I am a laundress, and live in James-street, Liverpool-road, Islington. The prisoner was employed to carry home linen, and if he parties paid him he was to bring me the money the same day—he has not paid me the sums stated in the indictment.

SARAH FLOWER. I am servant to Mr. Taylor, of Little Bell-alley. I said the prisoner, 2*l.* 19s. on the 22nd of August, for Mrs. Swaine.

REBECCA PITT. I was present on the 27th of July, and saw the prisoner receive 14s. 3*d.* from Mrs. Sams for Mrs. Swaine.

Prisoner. The prosecutrix said she would take it by instalments of 5s. a week, and I said I could not do it.

ANN SWAINE re-examined. No ; it was put to me, but we did not come to any arrangement ; he said he would bring me 1*l.* on the following day, but he did not.

GUILTY. Aged 20.—Confined Three Months.

2277. *THOMAS ANDERSON* was indicted for stealing, on the 25th of August, 50*lbs.* weight of lead, value 7s. 6*d.*, the goods of Robert Waron, and fixed to a certain building.

JAMES PEARCE. I am a stone-mason in the employ of Mr. Robert Varton, who has a house on Stepney-causeway. I have compared this lead with the lead on that house, and it matches exactly—it is seven or eight months since I had seen the house.

WILLIAM WADHAM. I am an officer. On the 25th of August the prisoner and some other boys passed my house with something heavy on their shoulders—I took the prisoner, who had got this lead, and he threw it down—the lead appears to have been cut some time.

Prisoner's Defence. I went by the railway, and found the lead.

NOT GUILTY.

2278. **GEORGE TAYLOR** was indicted for stealing, on the 4th of September, 4½ yards of woollen cloth, value 1*l.* 2*s.*, the goods of John George Gould.

JOHN GOULD. I live with my father, John George Gould, at Knightsbridge. At a quarter before two o'clock, on the 4th of September, I saw the prisoner and another close to the step of my father's door—the other one came inside and took this piece of woollencloth from inside the door—he went out with it to Wilton-place, and there he saw the prisoner, who took it of him—the prisoner was in sight of our shop when the cloth was taken, and could have seen if any one had come to disturb the other—the officer caught him—it is my father's.

JOHN WARD. I am an officer. I heard an alarm, and took the prisoner with this cloth on him.

Prisoner's Defence. I was in a public-house; a man came in and said he was going to buy a pair of trowsers; he went into the shop, brought this out, and asked me to carry it; he said, "Come on, or we shall be too late;" I then saw the witness running, and the man made off.

GUILTY.** Aged 18.—Transported for Seven Years.

2279. **JOHN YOUNGMAN** was indicted for stealing, on the 26th of August, 2 shillings, the monies of Henry Brett, his master; to which he pleaded

GUILTY.—*Recommended to mercy.*—Confined Seven Days.

2280. **MARGARET NASH** was indicted for stealing, on the 31st of August, 1 sovereign, 5 half-crowns, 3 shillings, 2 sixpences, and 7 half-pence; the monies of William Oliver, from his person.

WILLIAM OLIVER, I am a sailor. On the 31st of August I was in Vinegar-lane, and met the prisoner, who asked me to treat her—I took her into a public-house and changed a sovereign—I had then 1*l.* 16*s.* in my pocket, a sovereign in my right-hand pocket, and my half-crowns and other silver in my left—I went to the prisoner's house—my money was then safe—I laid down and went to sleep—a shipmate called me, and told me I was robbed—he called a policeman to get me out of the house, as it was dark and I did not know where I was—I found I had lost my sovereign out of one pocket, and my 16*s.* from the other—there was no one in the room with me—I went to bed, but I had my clothes on—I was rather tipsy.

JANE POTTER. I am an unfortunate girl. I remember the prosecutor coming to No. 14, Vinegar-lane, where the prisoner lives—he came with her—he was very drunk indeed—I saw the prisoner take from his pockets one sovereign, and 16*s.* in silver—she then came out of the room, and put it away—I asked her what she was going to do with it—she said it was her own, and turned me out of the house—I met a shipmate and told him.

Cross-examined by MR. PHILLIPS. Q. How long have you been on

the town? *A.* Five months—I saw the prisoner put the money into her pocket.

Court. *Q.* What o'clock was this? *A.* About half-past eight o'clock in the evening—I told the shipmate about half-past one o'clock in the morning—I knew he was the prosecutor's shipmate, as he was there with him in the afternoon.

Robert Roche (police-constable K 211.) I called at the prisoner's house between two and three o'clock in the morning—the prisoner opened the door when I knocked—I said, "Nash, what about this man's money?"—she said, "I know nothing about it"—I said, "There is a person outside who saw you do it"—"Oh, gracious," said she, and put her hand into her pocket, took out 13s. and 2½d. in copper—she said, "I can't give you the sovereign, but I will make it up with some Spanish dollars, and the ring on my finger"—the prosecutor said he would leave it in the hands of the police—I had not told the prisoner about the sovereign.

Cross-examined. *Q.* Do you say you did not tell her that she was accused of stealing a sovereign and some silver? *A.* No—I took her to the station-house—she was searched by a female, but nothing found on her.

GUILTY.* Aged 33.—Confined Nine Months.

2281. WILLIAM PHILLIPS was indicted for stealing, on the 27th of August, 30 yards of linen cloth, value 1*l.* 7*s.*, the goods of Mary Garton.

Even Evens. I am shopman to Mary Garter, a linen-draper in Great Titchfield-street. There was a roll of sheeting missed from a shelf in the shop, on the 27th of August—this is it—(*looking at it.*)

Joseph Church. I was in Great Titchfield-street, near the prosecutrix's shop, and saw the prisoner come out with this roll of sheeting under his arm—a lady called, "Stop thief"—I pursued the prisoner, and in Riding-house-lane he *chucked* the sheeting at me—I took it up, and pursued, and took him.

Eliza Sexton. I was near the shop, and saw a young man go in, and bring out a roll of linen—I believe the prisoner is the man, but cannot swear to him—I saw Church go after him.

Prisoner. She said she saw me give it to another person? *Witness.* No; I said another gave him a handkerchief which he put over it.

Prisoner. A man asked me to carry it, and told me to make haste with it.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Four Months.

2282. JOHN ROBERTSON was indicted for stealing, on the 2nd of September, I shawl, value 2*s.* 6*d.*, the goods of Sarah Preston, from her person.

Sarah Preston. I live in Exmouth-street. I was going over Tower-hill on an errand, on the 2nd of September—the prisoner came behind me, and took my shawl off—I turned and looked at him—the policeman, who was standing at the corner, ran and took him in a passage, and found he shawl—this is it.

Prisoner. *Q.* You did not see me take it from your shoulder? No; but I turned, and saw it in your hand.

John Donegan (police-sergeant H 14.) About twenty minutes to

seven o'clock, I received information, and went after the prisoner—I found this shawl under his coat, under his left arm, within three minutes after the prosecutrix lost it.

GUILTY. Aged 28.—Confined One Year.

2283. **WILLIAM HARWOOD** was indicted for stealing, on the 29th of August, 2 shillings, 1 sixpence, 4 pence, 1 halfpenny, and 1 farthing; the monies of William Parker, from his person.

WILLIAM PARKER. I am a bricklayer's labourer—I had seen the prisoner about a week before this happened. On the 29th of August I went into a public-house, and went into the back-yard to sleep—the prisoner came in about half-an-hour afterwards—I had 2s. in a purse, and 6½d. in my left-hand coat-pocket—the prisoner was not there when I went to sleep—I lost my money, but the purse was left by my side—on Sunday evening I met the prisoner, and spoke to him about it—he said he had taken 9½d.—I gave him in charge.

JAMES COOMBER. I live in Leader-street, Chelsea. I was in the stable with the prosecutor that night—in about half an hour afterwards the prisoner came in—he thought we were asleep, and I heard him feeling the prosecutor's pockets, and heard the money—I accused him of having the money—he said he wanted to go down, and shut the door in my face—I ran down, and told the watchman, who said he did not want, for he gave him his supper over night.

Prisoner. This witness went with me, and he said, "Let us wait till he gets to sleep, and see if he has got any money—we got 9½d., and he had part of it." *Witness.* No, I had none of it, I did not say so.

WILLIAM FORD (*police-constable R 186.*) I took the prisoner on the Sunday night—the prosecutor was with me—the prisoner said first that he had 9½d., and then he said he had 10½d.

Prisoner's Defence. The witness was with me; we took this money, and then we came back, and found 5½d. more; we tossed for that, and he won it.

GUILTY.* Aged 17.—Transported for Ten Years.—Convict Ship.
(There was another indictment against the prisoner.)

2284. **LYDIA DODWELL** was indicted for stealing, on the 5th of September, 10oz. weight of soap, value 3d., the goods of William Darby.

JAMES BARNES. I am shopman to William Darby, an oilman, in Queen's-buildings, Brompton. The prisoner came on the 5th of September for a quarter of a pound of soap and a quarter of a pound of soda—after she had paid for them, I observed her take a piece of soap from the box, and place it under her arm—she was walking out, I took hold of her and accused her of it—she denied it—I lifted her arm up, and it dropped from her.

WALTER LUCAS (*police-constable B 34.*) I took the prisoner—she said she had the soap, but did not know how she had it—she had no money.

(The prisoner received a good character.)

GUILTY. Aged 30.—*Recommended to mercy.*—Confined One Month.

2285. **JANE PRICE** was indicted for stealing, on the 30th of August, 1 counterpane, value 2s.; 1 blanket, value 2s.; and 1 pillow, value 2s.; the goods of James Wilmore.

CHARLOTTE WILMORE. I am the wife of James Wilmore, of Chapman-street, Westminster. I let the prisoner a furnished apartment—she was in company with Mr. Knight, who is not her husband—I missed from that room a counterpane, a blanket, and a pillow, on the 30th of August—these are them.

JOHN PINK CHAMBERS. I am a pawnbroker. I took these three articles in pawn of the prisoner.

Prisoner. I pawned them to get some trimmings to finish my work, I would have got them out again.

GUILTY. Aged 40.—Confined Three Months.

2286. JAMES POOLE was indicted for stealing, on the 1st of August, 4 traces, value 1*l.*; 2 cigar-boxes, value 1*s.* 6*d.*; 30 cigars, value 1*s.*; 1 snuff-box, value 6*d.*; 1 hone, value 1*s.*: and 24 hatbands, value 1*l.*; the goods of Robert William Morgan.

ROBERT WILLIAM MORGAN. I am an omnibus proprietor. On the 17th of August I left my office in Portman-place, these articles were then safe—I had seen them the evening before, except the traces, which had been locked in a cupboard—they might have been gone for a day or two—I missed them on the morning of the 18th—the panel of the door leading to the office was entirely out—the street-door had not been disturbed—I cannot tell how they had got in—the traces produced are mine, and this is my cigar-box.

Cross-examined by MR. CLARKSON. I suppose there is no mark on the box? *A.* No; but it had been generally in my use—this harness being of a different make from that I use, it was laid aside—I can only speak to its appearance—I have seen the prisoner about the neighbourhood as an omnibus driver—I have known him about three years.

ANN READING. I am a widow, and live in Earl-street, Lisson-grove. The prisoner lodged there for five weeks, and lodged one week in the room in which he was taken by the officer—I saw some harness in the cupboard in that room.

Cross-examined. *Q.* You cannot speak to these things? *A.* No—his room door was never locked—a man came to sleep with him one night in the same week in which he was taken.

GEORGE HEMMINGTON (police-sergeant D 9.) I went to the prisoner's lodging on Monday morning, the 24th of August—I found him in bed, and under the bed I found these traces in this handkerchief—I found this box on the top of a cupboard in the room—I asked the prisoner about them—he said, "Never mind."

NOT GUILTY.

2287. HENRY MILLARD was indicted for embezzlement, to which he pleaded

GUILTY. Aged 29.—Confined Three Months.

2288. MARTHA THOMPSON was indicted for stealing, on the 22nd of August, 9 yards of printed cotton, value 4*s.*, the goods of Michael Smith, to which she pleaded

GUILTY. Aged 16.—Confined Three Months.

2289. JAMES HAMILTON was indicted for stealing, on the 2nd of September, 1 pair of boots, value 3*s.*, the goods of Alexander Aland: and that he had been before convicted of felony.

ALEXANDER ALAND. I live in Charles-street, Chelsea. I was in Hyde-

park on the 2nd of September, about six o'clock—I was bathing—I had left my clothes on the bank, and when I came out of the water my boots were gone—I know nothing of the prisoner, but I found the boots on his feet on the 4th of September, and gave him into custody—I know the boots by two cracks on the upper leather of one of them.

GEORGE HEATH. I was bathing in the Serpentine, on the 2nd of September where the prisoner was—I saw the prisoner near the spot where the clothes were—I did not see him do any thing, but he went away in a minute.

HENRY HILL (*police-constable B 176.*) I took the prisoner with the boots on his feet.

Prisoner's Defence. I bought them, and did not know they were stolen.

MARY HARMAN. I produce a certificate of the prisoner's former conviction, which I got at the office of the Clerk of the Peace of Westminster—(*read*)—the prisoner is the person.

GUILTY. Aged 25.—Transported for Seven Years.

2290. WILLIAM HENRY SADLER was indicted for stealing, on the 31st of August, 5½lbs. weight of flour, value 1s. 4d., the goods of William Urry, his master.

WILLIAM URRY. I am a baker, and live in Bowling-street, Westminster—the prisoner was in my service. On the 31st of August, about seven o'clock in the evening, I asked if he had any thing in his pocket—he said he had not—he then said he had a bit of flour, and took a bag from his pocket with flour in it—I wanted to look into his other pocket, and he took a bag of flour from that—I took him to the station-house, and on the way some female took his hat off, and I saw some flour in it—this flour is similar to mine—I cannot swear to it.

Cross-examined by MR. PHILLIPS. Q. Is it usual to allow workmen any flour? A. No, not unless it is mentioned at the time—this flour is worth about 1s. 5d.

GUILTY. Aged 32.—Confined Three Months.

2291. MARIA CLARKE was indicted for stealing, on the 1st of September, 1 handkerchief, value 1s., 1 sovereign, and 3 half sovereigns, the property of Louis Thomas: and JOHN WILSON, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

LOUIS THOMAS. I am a baker and cook on board the *Thomas Grenville*, in the East India Docks. On the night of the 1st of September I met Clarke—I went with her to a public-house, and then went home with her—I had a sovereign, four half-sovereigns, and a handkerchief—I lent one half-sovereign to a man—I then had three half-sovereigns and one sovereign left—the money and handkerchief were in my jacket pocket—I was in the room up stairs with Clarke—the prisoner Wilson called me down—he asked what country I belonged to—I said, “Madras”—he kept me talking for about five minutes—I left my jacket on the bed up stairs, and the money and handkerchief in the pocket of it—I went up and the handkerchief and money were gone, and Clarke also—I came down and saw her throw the handkerchief to Wilson, who put it under his feet—I seized Clarke's hand, bit it, opened it, and saw a half-sovereign in her hand—I saw the handkerchief and a sovereign under Wilson's feet—this is my handkerchief, and the one which Clarke threw to Wilson.

Clarke. He came down stairs because I would not stay with him all night for 1s. 6d. ; the money fell out of the handkerchief, and because I would not give him the 1s. 6d. back he threatened to stab me with a knife.

Witness. I did not ; I had no knife.

Wilson. I did not call you down ; I spoke to you before you went up.

Witness. No, you called me down.

THOMAS HOULT. I was with the prosecutor when Clarke met him—he had a sovereign and four half-sovereigns, and he lent me half a sovereign—he wrapped up the rest, and put it into his pocket—Clarke was in the room at the time—I was not there when Wilson called him down—I was up stairs with another girl—the prosecutor then called me down—I saw him scuffling with Wilson, and trying to get his handkerchief and sovereign from him, which he did.

GEORGE METCALF (police-constable H 123.) I was sent for to this house, which is in Wentworth-street—I saw a sovereign, a half-sovereign, and this handkerchief on the table—the prosecutor charged them with robbing him of a sovereign and three half-sovereigns—I made a diligent search both up stairs and down, but could not find the other two half-sovereigns.

(Clarke put in a written defence stating that the prosecution was instituted against her from revenge, because she refused to remain all night with the prosecutor ; and that she had not robbed him.)

CLARKE—GUILTY. Aged 30.}

WILSON—GUILTY. Aged 32.} Transported for Seven Years.

2292. *PATRICK M'CANN* was indicted for stealing, on the 2nd of September, 2 sixpences, the monies of James Burn.

MARTHA BURN. I am the wife of James Burn ; we live in Bluegate-fields. On the 2nd of September, about six o'clock in the evening, the prisoner came to lodge there—he sent the girl out on an errand, and then the other man who was with him wanted to wash himself—I went up stairs to show him the soap and water, and when I returned to the room I saw the prisoner had his hand in my tea-caddy, in which I had two sixpences and two penny pieces—I was frightened, and let the prisoner go to bed—I then went to the caddy, and the two sixpences were gone—I sent for a policeman.

Prisoner. The money I had was my own. I had 8s. Why did not you speak to me when you saw me take it? *A.* I did not see what you had taken till you slid the two sixpences into the purse in your other hand—I had put them into the caddy after tea—I had nobody there but myself—it was about half-past seven o'clock—you had not been in bed above a quarter of an hour when I got the officer.

WILLIAM LEE (police-constable K 268.) I was called in—I went to the prisoner, and told him he was charged with stealing two sixpences—he said he knew nothing about it—I asked what he had got—he said, “Two half-crowns, one sixpence, and 4½d. in copper”—I asked the prosecutrix if she could swear to the sixpences—she said no, but one was a new one—I found two half-crowns, one sixpence, and 4½d. in a purse in one of the prisoner's pockets, and in another pocket two sixpences and some halfpence—one of the sixpences was a new one—I asked how he accounted for these sixpences, he said he sent the little girl out with

a half crown, and she brought it him—I sent for the girl, and she said he gave her first a shilling, and then a sixpence.

Prisoner's Defence. I had three half-crowns, one shilling, one sixpence, and three or four pence in copper; I sent the little girl for a quart of beer, and gave her a shilling; she brought me a sixpence; the sixpence that was in the purse with the half-crown I never took out; I then sent a half-crown for my supper, and I got another sixpence out of that.

MARTHA BURN *re-examined.* I saw him turn from the table, and put the two sixpences into his purse—there was nothing sent out for after that—the girl brought him change for a sixpence—she brought no sixpence.

JURY. Q. When did you put the money into the caddy? A. While he was drinking the beer—there was not a soul in the room to take them but him.

GUILTY. Aged 35.—Confined Four Months.

2293. JOHN WILLIAMS was indicted for stealing, on the 27th of August, 1 printed book, value 5s., the goods of John Thomas Cox.

JOHN THOMAS COX. I keep a bookseller's shop. I went out on the 27th of August about two o'clock, and returned about five—a book was missing from outside my window—the police inspector brought it me the next day—this is it—(*looking at one.*)

WILLIAM PENNY. I am a police inspector. I met the prisoner in Ray-street, Clerkenwell, on the 27th of August, about five o'clock in the evening—he was close buttoned up—I took him, and found this book on him.

Prisoner. I was in Petticoat-lane, and bought this book.

GUILTY. Aged 30.—Confined Three Months.

2294. JOSEPH MARSH was indicted for stealing, on the 18th of August, 9 feet of gutter, value 4s.; 8 feet of pipe, value 3s.; 2 brackets, value 6d.; 2 soldering irons, value 1s.; 1 hammer, value 1s.; and 6 pat-terns, value 1s.; the goods of Charles Jack, his master.

MR. ESPINASSE *conducted the Prosecution.*

THOMAS JACK. I am a retired officer of the Artillery—I know the prisoner. On the 18th of August he requested me to let him have three lengths of two and a half inch pipe, and one length of four inch gutter, to fix for his landlord—I gave him permission to take that quantity—on the 27th he came to me, and gave me in the account, that he had fixed twenty-one feet of pipe, and five feet of gutter—it was my son's pipe—his name is Charles Jack—the prisoner is his servant—I discovered that he had not booked the whole quantity.

Cross-examined by MR. PHILLIPS. Q. Was it from you he bought these articles? A. No—he requested me to let him have them to fix for his landlord—I did not see him take them away—he took them himself—he is the foreman—I superintend the business for my son in his absence—what I authorized the prisoner to take would come to 8s. or 9s.

WILLIAM PRITCHARD. I am in the employ of the prosecutor. On Tuesday, the 18th of August, the prisoner asked me to go with him to his landlord's house, at No. 8, Gower-place, where he said he had a job, to put up some gutters and pipes—I saw him take from my master's warehouse four lengths of pipe, and two lengths of gutter—he took nothing else then—I saw him take the elbow in the morning—I did not see him take any thing else that day—after he had put these pipes and gutters up

he told me, if Mr. Jack should ask me about it, to say he had three lengths of pipe, and 1 length of gutter.

CHARLES JACK. I am the prosecutor. The prisoner's wages were 37s. a week—on the 20th of August I made a deduction of 9s. 6d. from his wages for twenty-one feet of pipe and five feet of gutter, that was three lengths of pipe and one length of gutter—on the 31st of August I charged him with having robbed me—I went with him to Gower-place, and pointed out the pipe and gutter, that there was more than he had given me an account of—he said, “This is the first time I have robbed you, Sir, and you have found me out; do it as quietly as you can”—I went to his room, where I found two soldering-irons, a hammer, and some patterns, which I believe to be mine.

(The prisoner received a good character.)

GUILTY. Aged 28.—Confined Six Months.

2295. JOHN LEESON was indicted for stealing, on the 22nd of August, 12 cups, value 1s. 6d.; 12 saucers, value 1s. 6d.; and 8 egg-cups, value 1s.; the goods of John Kenworthy and others; to which he pleaded

GUILTY. Aged 17.—Confined Nine Months.

2296. ALFRED WALLER was indicted for stealing, on the 21st of August, 6 shillings and 3 sixpences, the monies of Matthew Evans and another, his masters; to which he pleaded

GUILTY. Aged 12.—*Recommended to mercy.*—Confined Six Days, and Whipped.

2297. WILLIAM WOODROFFE was indicted for stealing, on the 10th of September, 3 half-crowns, 23 shillings, and 1 sixpence; the monies of Samuel Hunt, his master; to which he pleaded

GUILTY. Aged 13.—Judgment Respited.

2298. WILLIAM KEATON was indicted for stealing, on the 7th of September, 1 bolster, value 3s., the goods of John Mearing; to which he pleaded

GUILTY.* Aged 24.—Confined One Year.

2299. THOMAS HENNESS was indicted for stealing, on the 12th of September, 33lbs. weight of brass, value 19s., the goods of Richard Payne; to which he pleaded

GUILTY. Aged 30.—Confined Nine Months.

2300. JAMES BEAN and SARAH JONES were indicted for stealing, on the 31st of August, 1 purse, value 1s.; 1 half-sovereign, 6 half-crowns, 4 shillings, and 1 sixpence, the property of Ernst Zonsius, from his person.

ERNST ZONSIUS. On Monday night, the 31st of August, about twelve o'clock, I met the prisoner Jones on the City-road bridge—she said she had travelled some distance, and was fatigued and thirsty,—she asked me to treat her with a pint of beer, and said that in the first turning to the left over the bridge there was a public-house, and asked if I would go there—I said I had no objection, but I would not go out of my road—finding there was no public-house, I did not go down the turning a great distance, but told her I would give her a penny—I had my purse in my right-hand trowsers pocket—there was a half-sovereign, six half-crowns four shillings, and a sixpence in it—I was looking for the penny, when she put her hand into my pocket and took out my purse with its contents—I am quite sure she

is the person—she attempted to get away, but I turned and secured her—Bean came running up immediately, and struck me three times in my face and once behind my ear—Jones dropped the purse against the post, and told Bean to pick it up—he did so, and put it into his right-hand trousers or coat pocket—he made a second attempt to strike me, but I had a carpet bag which prevented the blow—I saw five or six other men near the foot of the bridge—Bean went to them, and they surrounded me—I heard these men whistle, and one of them tore my coat from the skirt up to the collar, to set Jones at liberty, but they could not release her—I did not lose sight of her—I was knocked down several times, and dropped my paper parcel and my hat, but I recovered them again, and ran up to Jones to secure her, and not to lose sight of her—I gave her into the hands of the police, and described Bean, who was taken next morning.

Cross-examined by MR. PHILLIPS. Q. Had you ever seen this girl before? A. No—I cannot take my oath that there were not other women about, but there were none near her—I kept hold of her till the policeman came up—I touched her on the shoulder—I did not lose sight of her—I occasionally lost hold of her during the scuffle, and got hold of her again—I had not hold of her when the policeman came up—I touched her shoulder, and secured her, that she could not run away—I had hold of her when the policeman came up.

COURT. Q. Had you hold of her to seize her, or only your hand on her? A. I laid hold of her first, and the men surrounded me—I was knocked down—I got up again, ran after her, and secured her again—I was surrounded again, and in that scuffle I got my coat torn—when the policeman came up I stood by her.

MR. PHILLIPS. Q. Had you hold of her so that she could not run away, when the policeman came up? A. Yes.

Cross-examined by MR. DOANE. Q. Was not this at the end of a dark passage? A. No; it was very near a gas light—I objected to turn down—I stopped opposite a street, it was not a great distance from the bridge—I should say it was a dozen yards—it was at the foot of the bridge that the six or seven men were—Bean came from among five or six others, and struck me—Jones made an attempt to run towards these men—a policeman came up after the woman was in custody—when the policeman came up Bean was then among the crowd—the policeman asked me if I could point out the man, but I was so excited by being knocked down, that I could not identify him, my attention was more particularly directed to Jones—I have no doubt about Bean being the man.

GEORGE BARRY (*police-constable N 210.*) I came up from the wharf bridge to the City-road—I met two men and Jones—I asked where they were going in such a hurry—they said, down the road to fight—I said they should not—I then saw the prosecutor running after Jones, and several men after him—I cannot say whether Bean was one—I laid hold of one of the men—the prosecutor said Jones had robbed him—I let go of the man and took her—the prosecutor said he could identify two men in the crowd who knocked him down—another policeman came up to me, I told him to go to the men—I took Jones to the station-house—the prosecutor described Bean, and about half-past two o'clock I saw him with his back against the Windsor Castle public-house—I taxed him with it—he said he knew nothing about it—I took him—he had two sovereigns, a half-sovereign, a half-crown, and 1s. and 1½d—I went to the prosecutor's house—he identified him as the man who had struck him.

Cross-examined by MR. PHILLIPS. Q. You met the woman and two men? A. Yes; they were walking very fast—after that the prosecutor came up and told me the woman had robbed him—she went on—I laid hold of a man first—I then took Jones, and the men went on—no one had hold of Jones when I took her, I am sure of that.

Cross-examined by MR. DOANE. Q. You saw the two men? A. One man I could not see, for he was under the wall; the other man I stopped, then Jones and the other man went on—the prosecutor said it was the woman, and I took her—I saw that Bean was in the crowd.

NOT GUILTY.

2301. JOSEPH NELSON was indicted for stealing, on the 4th of September, 8 thimbles, value 8s., the goods of Daniel Murphy.

DANIEL MURPHY. I am a licensed hawker, living in King-street, Blackfriars-road. I know the prisoner by sight—I found him at the King's Head public-house, on the 4th of September—I had some thimbles for sale which were tied up—the prisoner cautioned me, and told me to be careful of them, as he thought I was not in good company—I went away and missed my thimbles—I sent for a policeman, and he found these thimbles—I cannot swear to them, there are so many alike—there were eight lost, and seven found—I believe they are mine—I was not drunk—I believed the prisoner to be very upright and honest—I put them into his hand for inspection.

WILLIAM JOHN WORTHINGTON (*police-constable B 144.*) I went and took the prisoner—he said he was very sorry, but he was drunk at the time.

DANIEL EYRES. I am a pawnbroker. I produce the thimbles—I believe the prisoner to have pledged them on Friday, the 4th of September.

Prisoner's Defence.—The prosecutor put some thimbles into my hand, and said, "Take these"—whether he meant me to keep them or not, I cannot say, but I did not go out of the house for two hours. I pawned them and told him where.

(The prisoner received a good character.)

GUILTY. Aged 57.—Confined One Month.

Fifth Jury, before Mr. Sergeant Arabin.

2302. RICHARD DIMBLEBY was indicted for stealing, on the 10th of September, 3 gallons of wine, value 2l. 5s., the goods of Charles Bullen Davis.

JOHN BIVAND (*police-constable K 117.*) On the 10th of September I was in Ratcliffe-highway. I saw the prisoner and another man going long, appearing to quarrel—the prisoner had something—I asked what he had got, he said, "Beer"—I pulled his coat on one side, and took a keg of wine from under his waistcoat—I took them, and then went to the London-dock, and found a ship called the *Florence*, and there I found a cask of Madeira wine with two new spiles in it, and the place was wet—took a sample from that cask, and it tallied with that in the keg—I showed on the prisoner a gimlet.

THOMAS CLARK. I am mate on board the *Florence*. The prisoner was a sailor on board that vessel, which was in the London Docks—we had all Madeira wine on board—it could be got at down one of the hatchways—I believe this cask was not spiled before—when the officer came I saw two small holes in it—that cask was marked "B, No. 6," in a diamond—it appeared to

have been spiled, and wine drawn out not long before—I was not present when it was guaged—this is a sample of it from the cask—I did not taste it—it is the property of Mr. Charles Bullen Davis.

THOMAS TAYLOR. I am guager of the London Dock Company. My attention was called to that cask—I guaged it, in conjunction with a revenue officer—its contents were 52.47, making a deficiency of three gallons from the original contents—I saw the spile-holes—I have tasted the wine—I believe it is the same wine as that found on the prisoner.

Prisoner's Defence. We arrived at two o'clock, went on shore, and got rather *groggy*. As to the wine, I did not take any thing on shore with me. I had two shillings when I went on shore.

GUILTY. Aged 33.—*Recommended to mercy.*—Confined Three Months.

2303. WILLIAM SIMPSON was indicted for stealing, on the 13th of August, 2 watches, value 5*l.*; and 2 guard-chains, value 2*l.*; the goods of George Shaw, his master, in his dwelling-house.

GEORGE SHAW. I am a shoemaker, and live in John-street, Edgeware-road, in the parish of St. Marylebone—it is my dwelling-house. The prisoner was in my service, to work in the shop by me at ladies' shoe-making—he lived out of the house. On the 13th of August one of my watches was on a mantel-shelf, and one on a little recess within a yard of the other—the prisoner did not come to work till about eleven o'clock, though I was full of work—I complained about his being so late—he said he did not get up till ten o'clock, he was not in bed till four o'clock—he went on with work for about an hour—he got up and asked if I would lend him 6*d.*—he said he was going to dinner, and he thought a little walk would do him good—I said those boots that he was repairing must go in that evening—I saw him go away—he said he would not be long, he would be back presently—I went to see what time it was, and looked at both watches—it was seven minutes after twelve o'clock—I sat down, and was called to dinner, and it was then seven minutes after one—I remarked the circumstance to my wife—I went to work again, and looked again at the watches—it was a quarter to three—soon after that the prisoner came in, and sat down—a customer came in, and at that time I saw the prisoner get up, and go across the parlour, towards where the watches were—I concluded he was going to look at the watches, as he often did—he then came out with a little cup in his hand, and his coat held together—I asked my wife where he was gone, she said he asked her for the cup to get a little milk—after that I missed the watches—no other person could have taken them but him—they have not been found—the two were worth 5*l.*, and the two guard-chains 2*l.*

JAMES BASS. I am a *cab-man*. I know the prisoner by sight—I saw him on Tuesday evening, the 13th of August, in a public-house—I told him I heard the police were after him, for taking two watches from his master—he laughed, but made no answer—when we came out he said he wanted to dispose of the duplicates of the two watches—he said he had pawned them, but he did not say where.

Prisoner. It is false, I did not say so. *Witness.* Yes, you did.

JOHN BARKER. I am a shoemaker. I was with James Bass, and saw the prisoner at the corner of the New-road—when he was told of this he made a laugh at it, and then said they were in pawn for 1*l.* 14*s.*—I said the best thing he could do would be to give up the duplicates, I would

take them back to Mr. Shaw, and he might try if he would forgive him, or let him work it out.

ELIZABETH SHAW. The prisoner asked me for a mug to go out for some milk, and when he was gone I went to see what time it was, and the watches were gone—they had been safe at a quarter before three o'clock.

ROBERT HOARE (*police-constable D 72.*) I took the prisoner—I found one of the watches had been pledged in the name of John Simpson, but it had been redeemed again, and it is gone.

Prisoner's Defence. An entrance may be made at the back-door; I know nothing about the watches.

GUILTY. Aged 21.—Transported for Ten Years.

2304. **MARY ANN DAY** was indicted for stealing, on the 16th of August, 1 bolster, value 5s.; 1 blanket, value 3s.; and 1 candlestick, value 6d.; the goods of Joseph Platts.

MARY PLATTS. I am the wife of Joseph Platts—I live in Peter-street, Westminster. I let a room to the prisoner—she was in there a fortnight and two days, and left on the 19th of August—she went away without giving notice—she had never paid any rent—I went into her room on the 20th, and missed the bolster, blanket, and candlestick—these are them.

Prisoner. The candlestick is mine—it was bought and paid for by my husband, and the bolster and blanket, my landlord knew of my pawning.

MARY ANN SALES. I am Mrs. Platts' daughter. The prisoner took my mother's apartment—I know this bolster and candlestick to be my mother's.

Prisoner. Q. Can you prove that you know that candlestick? *A.* Yes, and I can bring the person who left it for arrears of rent.

GEORGE CARTER (*police-constable B 151.*) I was called to take the prisoner, and in going to the station-house, she said she had given the duplicates to the prosecutor's daughter—I went to the pawnbroker's, and found the property.

(The prisoner pleaded distress, and received a good character.)

GUILTY. Aged 36.—Confined Three Months.

2305. **JEREMIAH DRISCOLL** was indicted for stealing, on the 3rd of September, 2 sheets of copper, value 8s., the goods of William Crawford and others.—Three other Counts, stating them to belong to different persons.

JOHN SUTTON. I am an officer of the East and West India Docks. About three o'clock in the afternoon of the 3rd of September, in consequence of information, I watched the prisoner, and saw him go out—I followed, and came up with him, and asked him how he came to be there, and how he had left his work—he had been working on board the *Earl Belcara* the day before, which had taken 3800 sheets of copper on board—I said I suspected he had something about him—he made me a saucy reply, and ran away—I ran and took him as he was going through a public-house, and found two sheets of copper inside the flap of his breeches, and a leather belt round him to keep it up—I produce it.

Cross-examined by Mr. PHILLIPS. Q. How long have you known the prisoner? *A.* Some years—he has been twenty years working in the locks—I saw no other man—he was employed by a master lumper, about his place, not by the Company—I will not swear I have not known him fifteen years.

WILLIAM HOUGH. I am warehouseman to Messrs. Simms, Williams, and Co., of the Steel-yard. This copper has my mark on it—I am sure this is part of the property I delivered to Phillips' lighter, to go on board the *Earl Belcara*—Messrs. William Crawford, Colvin, and Co., Old Broad-street, are the owners of the ship, John Vaux is master.

JOHN PHILLIPS. I am a master lighterman. The day before this copper was found, I had employed the prisoner to take in the ship's cargo—this copper was part of the cargo—I paid the prisoner the night before he was taken—he had no right on board the ship that day—I have known him twenty years, and believe he was honest and industrious—I often employed him.

THOMAS HOLDSWORTH. I am a lighterman. I took the copper in at the wharf, and put it into the barge—I took the barge down in the evening to the East and West India Docks.

GUILTY.* Aged 37.—*Recommended to mercy by the Jury.*
Transported for Seven Years.

2306. **JOSEPH GALLOWAY** and **JAMES MAXWELL** were indicted for stealing, on the 1st of September, 32 yards of calico, value 10*s.*, the goods of William Booker.

WILLIAM BOOKER. I am a linen-draper, living in Middlesex-terrace, Hackney-road. On the 1st of September, about half-past three o'clock, I went out, and left two pieces of calico at the shop-door—I returned in about three hours—one piece was then missing—this is it.

JAMES HENRY CRUMP. I live opposite. About three o'clock, on the 1st of September, I saw Galloway take this calico out of the chair at the prosecutor's door, and put it into Maxwell's lap, who was sitting on the steps next door—he covered it over with his apron, and they walked away—I pursued, and was going to lay hold of Galloway, when he turned, and went towards Shoreditch church—I took Maxwell with the calico.

GEORGE REED. I was talking to Crump—I saw him run over the road, and make a grasp at the prisoners, but he did not catch Galloway, he ran towards Shoreditch church—I pursued and took him, about 200 yards from the prosecutor's.

Maxwell's Defence. My fellow-prisoner asked me to hold the roll, which I did, but had no knowledge of his having stolen it.

(The prisoners received a good character.)

GALLOWAY—GUILTY. Aged 19. }
MAXWELL—GUILTY. Aged 10. } Confined Three Months.

2307. **MARY WELFARE** was indicted for stealing, on the 1st of June, 1 table-cloth, value 1*s.*; 2 boxes, value 3*s.*; and 2 handkerchiefs, value 1*s.* 6*d.*; the goods of William Parker, her master; to which she pleaded

GUILTY Aged 20.—Confined Three Months.

2308. **JOHN ROOKE** and **RICHARD HAWKINS** were indicted for stealing, on the 10th of September, 1 purse, value 6*d.*; 8 sovereigns, 1 half-sovereign, 3 shillings, and 1 sixpence; the property of Manoel Joaquim Carneiro da Cunha, from his pe on.

JAMES CRESWICK. I am an ornament-manufacturer, and live in New Compton-street. On the 10th of September, between two and three o'clock in the day, I saw the two prisoners and another in Gerrard-street, as I was coming down Macclesfield-street—I have not the least doubt that they are

two of the three—I observed them follow the prosecutor and another gentleman, and when they got close to them, I saw Rooke put his hand into the prosecutor's pocket, and take out his purse—Hawkins was by his side, quite close to the gentlemen, when Rooke took out the purse—Rooke walked on—the two gentlemen stopped to knock at a door—one of the companions, (the third one,) walked about a dozen yards before the gentleman, then turned, and looked him in the face—he then walked back and escaped—Hawkins crossed the road directly the purse was taken, and went away—I told the prosecutor that he had lost his purse—he went with me to Rooke, who did not attempt to run away—I accused him of having the purse—Rooke said he had not got the purse, and we might search him—the prosecutor asked a person in the crowd to get a policeman—I said I was sure Rooke had the purse; and when he found he could not get away, he pulled it out of his coat-pocket, went down on his knees, and begged for forgiveness—I am quite sure Hawkins was one of the three—he had an opportunity to see Rooke take the purse.

Cross-examined by MR. CLARKSON. Q. When had you seen Hawkins before? A. I cannot say, but I have seen him passing my door with the other man—he was not apprehended on that day—some lads in my employ pointed him out to me as being a bad character—I did not see him again till the Saturday after—I first saw him on Thursday, in Gerrard-street, nearly opposite Maclesfield-street, about twenty yards from where the gentleman lost his money—I saw Hawkins and Rooke, and a third person, for about twenty yards, before this happened—they were together, apparently in conversation—when Rooke took the purse Hawkins and the other were on the curb—Rooke was on the wall side—they were all close together—the prosecutor was outside the pavement, walking arm-in-arm with Captain Paschal—there were very few people passing by—it is a very dull street—I did not notice any one—I did not give any alarm till I told the prosecutor he had lost his purse—my object was to get Rooke with the purse.

Rooke. Q. You did not see me take the purse? A. Yes, I distinctly saw you take it out of the prosecutor's pocket—I saw it in your hand, and saw where you put it.

GEORGE FREDERICK PASCHAL. I am a captain in the army. I was talking with the prosecutor—I had knocked at the door of a lodging-house which I was taken to, and the prosecutor said to me, in French,

"I believe I have been robbed"—I said, "Feel if you have lost any thing"—he said, "Yes, my purse is gone"—at that moment Mr. Creswick cried out, and said, "That boy going on a-head of you has taken the gentleman's purse"—I ran and collared Rooke—I charged him with having it—he denied it—I kept him from the area and from the people about, and just as the policeman was coming up he made an attempt to kneel down, and gave the purse into my hand, and I gave it to the policeman.

JOHN WARREN (police-constable C 35.) I took the prisoner and the purse—I gave it to the prosecutor—I did not see Hawkins.

MANOEL JOAQUIM CARNEIRO DA CUNHA. I am attached to the legation of the Brazils. This purse and its contents are mine, and just before it was safe in my pocket.

MR. CLARKSON called

WILLIAM HAWKINS. I am a boot-maker. I remember the Thursday before the Saturday that my brother was taken up, he was employed by me as a boot-maker—I live at No. 93, Berwick-street—he was with me on

that Thursday between two and three o'clock—I did not send him out, but he went out—I was rather slack of work.

Rooke. A boy came running after me, and gave me the purse, and put it into my hand.

(Jacob Wedderborn, a scale-beam filer, gave Hawkins a good character.)

ROOKE—GUILTY. Aged 18. }
HAWKINS—GUILTY. Aged 17. } Transported for Ten Years.

2309. JAMES COTTER was indicted for stealing, on the 22nd of August, 28lbs. weight of candles, value 16s.; and 1 box, value 1s.; the goods of Sir John Benn Walsh, Bart.

JOHN FOSTER. I am servant to Sir John Benn Walsh, Bart., who lives in Berkley-square. I was in the area on the 22nd of August, about ten o'clock in the forenoon—the prisoner could not see me—I saw him come down, enter the door, and walk on his toes—I watched him nine or ten yards—he crossed, took this box from the area passage, and was coming out with it—I stopped him at the door, and asked where he was going to take the box—he said he was moving it out of his way—it contained twenty-eight pounds of candles.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Six Months.

2310. ANN BOUND was indicted for stealing, on the 12th of September, 3 yards of calico, value 9d.; 1 handkerchief, value 4d.; 1 cap, value 3d.; and 2 pairs of stockings, value 8d.; the goods of Sarah Clark.

SARAH CLARK. I am a widow, living in Drury-lane; the prisoner lodged in the same room with me. At six o'clock in the morning of the 12th of September I went out, leaving these articles in a bundle in the room—I had been washing them, and had folded them up to iron—I returned about seven o'clock in the evening, and the bundle was then gone—the prisoner did not come home for four hours after, and then she was very much in liquor—I taxed her with having taken them—she abused me very much—I said she had better confess it, and I would endeavour to get them—she at last told me where she had sold them.

THOMAS WOLFE. I am a policeman. I took the prisoner—she said she had taken the things and sold them, and on the way to the station-house she said she hoped the woman would not press the charge against her; she had money enough coming to her to-morrow, which she would give her.

Prisoner's Defence. I sold them for 1½d.; I asked 2d., and promised to give that to her.

GUILTY. Aged 48.—Confined Three Months.

2311. MARY ANN SNOW was indicted for stealing, on the 8th of September, 1 bonnet, value 3s.; and 1 shawl, value 5s.; the goods of Sarah Warner; to which she pleaded

GUILTY. Aged 53.—Confined Twelve Months.

2312. ELIZA JONES was indicted for stealing, on the 15th of September, 1 half-crown, 5 shillings, and 2 farthings; the monies of James Hastings.

JAMES HASTINGS. I am a carpenter, and live in George-street, Fiske-place. I fell in with the prisoner, on the 15th of September, in Portland

street, about half-past eleven o'clock—I had not known her before—we got into chat together, she asked me for something to drink—I took her to a public-house and gave her some, and then we struck a bargain to sleep together, and went to Mrs. Smith's—I put my trowsers on the table—there were half a crown and 5s. in silver in them, and two farthings in my waist-coat pocket—I had some more silver in my other pocket, but do not know how much—it was about five minutes to six o'clock when I awoke—the prisoner was then up and dressed—she had got her bonnet on—I missed my money—the two farthings were also gone—I should know one of them again—I accused her of robbing me—she said, how could I accuse her of that, for she had not a farthing about her, and I had not given her any thing; but I had given her 3s.

LUCY ROBINSON. I live in Albany-street, near to the station-house. I was called by the officer at half-past six o'clock in the morning to search the prisoner in the cell—she told me she had nothing about her, and when she gave me her purse, I asked how she came by the money—she said she changed a sovereign the night before—I found two half-crowns, two six-pences, and six shillings, a fourpenny-piece, three penny pieces, and two farthings.

DAVID HACK. I am a policeman. I was called by the prosecutor to take the prisoner for stealing one half-crown and 5s. in silver—she said she had no money last night, and that I knew—I took her to the station-house, and on the way I said, “What money have you now?”—she said, “I shall not tell you.”

Prisoner. I did not say I had not a farthing last night. **Witness.** You said you had no money last night, the prosecutor knew you had not.

JAMES HASTINGS. This farthing I know is one that I lost—this one is marked—I had only given her 3s.

Prisoner's Defence. I went in to have something to drink, and pulled out the two farthings from my pocket and a halfpenny—he said I need not pay for it—he took them from me, and said one was a bad one—I did not deny having any money—I gave up my purse directly.

GUILTY. Aged 30.—Transported for Seven Years.

OLD COURT.—*Thursday, September 17th, 1840.*

Second Jury, before Mr. Sergeant Arabin.

2313. **ELEANOR MURPHY** was indicted for stealing, on the 2nd of September, 1 gown, value 2s., the goods of William Ward; and that she had been before convicted of felony.

FREDERICK MILES. I am a policeman. On the 2nd of September I met the prisoner in Hatton-wall, at half-past four o'clock in the evening—I had heard a pawnbroker's shop had been robbed of some property—I suspected and stopped her with a bundle in her apron—I said, “What have you got there?”—she said, “What is that to you?”—I took the bundle out of her apron, in which was this gown, and took it to the prosecutor—I was taking her to the station-house she dropped a pair of new boots from under her gown.

CHARLES WOOD. I am shopman to Mr. W. Ward, of Gray's-inn-lane. I lost a gown from the shop-door that day—this is it—(*produced*)—I saw it at ten o'clock in the morning.

Prisoner's Defence. Some man brought me out to have a little drink; it took effect on me; I bought the gown.

JOHN LAW. I am a policeman. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I was a witness on the trial, and apprehended her—she is the person.

GUILTY. Aged 32.—Transported for Seven Years.

2314. GEORGE WILLIAMS was indicted for stealing, on the 28th of August, 1 mare, value 1*l.* 10*s.*; 1 cart, value 3*l.*; 1 set of harness, value 10*s.*; the goods of James Smith.

JAMES SMITH. I am a greengrocer. On Friday, the 28th of August, I had a mare in a cart—I went to Billingsgate market, about ten minutes to seven o'clock in the morning—I asked a young man who was sitting on a step to mind it while I was absent, it was not the man that always minded it, he was not there—I cannot recognize the prisoner as the man—I was absent about half an hour, or not so long, and when I returned I found the mare and cart gone—the young man could not be found anywhere—I afterwards found my cart at Limehouse, I believe—I found the mare at a slaughter-house—I knew them again.

WILLIAM BARTRAM. I am a livery-stable keeper, and live at Raven-row, Mile-end. I saw the prisoner at my place a little after seven o'clock, he asked me if I would let his horse and cart be put in my yard for an hour—it was a very poor grey mare, and a very old cart—I let him put it in on condition that he would fetch it away in an hour—he told me that the horse would not draw a load, and he wished me to take it in till he fetched another horse to draw it—he did not return till past four o'clock—he then took the horse away, and paid me 9*d.* for its being there.

RICHARD WEST. I am in the employ of William Monk, who has a slaughter-house in Little North-street, Whitechapel-road. The prisoner came there between five and six o'clock on the Friday evening, and said he had a horse at Mr. Bartram's stable, would we go and look at it—Mr. Monk told me to go with him, but while I went into the house he was gone—I went to Mr. Bartram's yard, but the horse was gone—I then came home, and found the prisoner with the horse in my master's yard—it was a grey mare—he asked 25*s.* for it—it was bought for a sovereign—she was afterwards owned.

Prisoner. It was sold for 19*s.* *Witness.* No, a sovereign, and you gave 1*s.* back for drink.

SAMUEL WEBB. I am a grocer, and live in Queen-street, Raudiff. The prisoner met me on Stepney-green, and said, "Webb, do you want to buy a bigger cart?"—I said, "I have no objection, if you have got one that will suit me"—he said he had—I said, "Where is it?"—he said, "At Mr. Bartram's livery stables"—I said, "I have not time to look at it now"—he said, "Come and look at it now, for my horse is dead, and I shall not have time next week to see it sold, as I have a situation to go to; and if I let the cart stand over to-day I shall have to pay half-a-crown, for it will run into next week"—I went and looked at the cart, and said it was of no service to me—I at last gave 25*s.* for it—the prosecutor has since seen it.

JAMES PORTCH. I am a policeman. I saw the prisoner in custody, and identified him as the man I had been looking for for two years.

JAMES SMITH *re-examined.* I have seen the horse and cart—they are mine.

GUILTY. Aged 20.—Transported for Ten Years.

Before Baron Rolfe.

2315. JOHN BUTLER was indicted for stealing, on the 20th of August, 1 brass knob, value 1s., the goods of James Hicks, and fixed to a certain building :—2nd COUNT, calling it a brass handle.

THOMAS LIPSON POMEROY. I am a policeman. I was in Lamb's Conduit-street, on the 29th of August, about half-past twelve o'clock at night, and saw the prisoner in that street—my attention was attracted by seeing him at a shutter there, the bolt of which I had found loose about a week before—I did not see him doing any thing with the bolt, but having found it loose just before, and knowing that he had just inspected it, I was induced to watch him—I followed him to Chapel-street, and saw him go into the doorway of Mr. Hicks's house, No. 2—I stationed myself in Mr. Hayward's doorway, nearly opposite, and saw the prisoner's arm in motion, as if he was wrenching something off Mr. Hicks's door, as if he was twisting something round—I watched him for about five minutes altogether—he came out of the doorway, and cried the hour, "Past twelve o'clock"—I believe he is a private watchman—he then went back again, and I observed him wrenching at the doorway again—he left the doorway shortly after again, and I went to it, and ascertained that the brass knob, which I had seen safe shortly after twelve o'clock, was gone—I followed the prisoner, and overtook him in Chapel-street—I said, "*Jack*, what have you done with that knob?"—he is known among us by the name of *Jack*—he ordered me to stand off, and then raised his stick, and attempted to strike me on the side of my head—I caught the blow on my arm, and told him I should search him—he again told me to stand off—I said if he did not submit to be searched, I should take him to the station-house—I laid hold of him, and I believe I unbuttoned one button of his great coat, but he unbuttoned two or three more, took the knob out, and threw it on the ground from the bosom of his great coat—I am not certain whether he had a pocket in that great coat or not, but he took it from the bosom—he made some observation, which I do not exactly recollect, but I think it was, "There, take it," or something of that kind—I sprang my rattle, and Frier, another policeman, came up, and we took the prisoner to the station-house—when Frier came, the prisoner said he had not touched the knob for the night—on my return from the station-house I rang at Mr. Hicks's bell, but it was not answered—on the following morning, about nine o'clock, I gave information to Mr. Hicks—I got a nut-screw from the house, and it fits the knob—on our way to the station-house the prisoner said he knew the knob to be safe at ten o'clock, which he had previously denied any knowledge of.

Cross-examined by MR. BODKIN. Q. How old are you? A. Twenty-two on the 31st of August—I have been in the police between three and four months—I am from Devonshire, or rather the borders of Devonshire—I have every reason to believe myself a Spaniard—I did not say I was born in Devonshire—I said I came from there—my parents were Spaniards, and I came from Spain with them—I do not remember being brought—it was in 1820, two years after I was born, and I cannot recollect it—I have been stationed on the same beat ever since I have been in the police—I have seen the prisoner on duty there every night—how was I to know he was employed there?—I do not know that the police are displeased at the inhabitants having a private watchman—I never expressed displeasure at his being there—I never said I had any objection to his being there—I have expressed a wish that he would be less

obnoxious to the police, because he often obstructed us in the performance of our duty—I have never been chattering to the servant maids when he has come up and interrupted me—I am a married man—I have never known it done to any of my comrades in the police—from what I have seen of my comrades they are not in the habit of doing it, and do not require a man to interfere with them.

Q. Have you never said, "There is a b——d old watchman down the bottom of the street, I will roll him in the kennel before the night is over, and will have him off the beat if possible; there are two or three on the look-out for him, and he shall not be on the beat another week?" A. I never said that—part of your statement is correct—I have said, "There is an old watchman down here, who has been a great deal of trouble to us, obstructing us in our duty," but I have said, "He is too old and insignificant, he is not worth more trouble about him, I shall roll him in the kennel"—I never said there were two or three on the look-out for him—I have said, "We are on the look-out," but never mentioned two or three—we had received orders to look out for him—I said it was likely he would not be on the beat another week; and I will state what induced me to say so: about ten days before the knob was missed there were two bolts missed from the shutters of Mr. Hayward's shop; I gave information to the sergeant that these bolts were gone, and he was impressed with an idea that the prisoner had taken them, because from the manner I go round my beat it is almost impossible for a man to go into Chapel-street, and be there two minutes, without my knowledge; the sergeant went and searched the prisoner very slightly, and afterwards in coming down the street I heard him in conversation with a bricklayer, who, I believe, lives in Robert-street, and he told the bricklayer that the sergeant was a d—— fool, for he had the knobs in his pocket all the while he was searching him, and if he had searched him properly he would have found them—he was not taken before a Magistrate on that charge, because we did not find them—he was not taken before Mr. Rogers at Hatton-garden, nor did Mr. Rogers reprimand the police for it, to my knowledge—I do not know Mr. Rogers—I should not say that the prisoner had reason to know we were watching him—private persons are not to know the orders we have from our superior officers—it is not to be expected if a thief knows I am to watch him, that he will commit a robbery on my beat—I do not know Mr. Tyler—I have seen the name—I recollect two or three gentlemen speaking to me once, whether Mr. Tyler was one of them I do not know—I do not recollect his saying to me that I seemed to be a very young man for a policeman—I will not swear he did not say so—I might have answered, "I look younger than I really am"—I do not know whether I said, "I am a foreigner, a Spaniard, but it is not generally known, or I suppose I should not be in the police"—I will not swear whether I did or not—I do not know a Mr. Wilson—I know there is a gentleman of that name in Chapel-street.

Q. Do you remember telling him you would roll Butler in the kennel and have him off the beat? A. I do not remember saying I would have him off the beat—you must recollect I am on oath, and I will not violate the sanctity of an oath to please you or any gentleman—I will not swear I have not said I would have him off the beat if I could—I have brought Sarah Ducker here as a witness—I believe she is servant to a lodger at Mr. Hicks's—she was not before the Magistrate—I have had some conver-

sation with her here, but never to prejudice her—I have not told her I would be sure to convict him if I could, nor any thing of the sort—it is not for me to convict, it would be absurdity to say so—our conversation has been on different things—sometimes we have expressed a wish that the trial would come on—things may have passed, but not what you mention—I have been asked what he would be done to, and have said, “I do not know, it is left in the hands of an intelligent Jury, who will do justice”—I filled different capacities before I was in the police—I was a miller before I entered the police, not a labourer; does my appearance appear like a labourer?—I was never a subordinate—I was a partner with my father at Eskin, at the parish of St. Germans, in Cornwall—my father is living there now, I believe—I was not a partner by articles—I assisted in the business—I assisted him, on and off, for years, but I have filled other capacities, among others, a schoolmaster—I have no doubt you recollect that the Ironmongers’ Company have endowed a school at Landsdrake—I was schoolmaster there for nine months—I superintended it for Walker, who was ill—he was then able to take it himself—I left the mill because it did not agree with my health, and I wished to be employed in a more active sphere—I certainly did not intend to come into the police, but we must take what we can get—I do not mean to say that I am not qualified for a better situation.

JAMES HICKS. I am a cabinet-maker, and live in Chapel-street, Bedford-row. I had a knob at my door on the evening of the 28th of August—I believe it was safe that night—I have lived there between seven and eight years—it was a similar knob to this, but there are many in the neighbourhood—mine is a double house—I merely have the shop—the lodgers came in last, and do the door up—I came in on the evening of the 28th of August at another door—I heard the bell ring that night, I do not know at what time—I have got up before when the bell rang, and found nobody there, and I did not get up—the prisoner is a private watchman—I occasionally gave him a Christmas-box, nothing more—he came to me about a week before this, and told me the knob was loose—I found it was so, and secured it as tight as I could with a pair of nippers, and tried it outside—it was quite tight then—I know this knob, or one like it, was there the day before it was lost, or I must have missed it, as the door stands open, and I must have seen—I should not think he could get above 3*d.* for it at the most—I received information on the morning of the 29th, and found it was gone—the policeman brought it about nine o’clock.

Cross-examined. **Q.** How long has this man been employed as a watchman by the inhabitants of that neighbourhood? **A.** I am told twenty years—I have known him ever since I have been there—he has borne a very honest character—I have heard them speak very highly indeed of him—they place great confidence in him—he is particularly attentive to the fastenings of the doors at night—I have heard the police and him wrangling—I have not seen them ill-using him—I never stopped to interfere with it—I have heard them late of a night, but have passed home—they were quarrelling with him very often—he is above sixty years old, I believe—I fastened the knob tight, in consequence of what the prisoner himself told me—I should say he could not have wrenched it off without some instrument.

MR. BODKIN to T. L. POMEROY. **Q.** Had you spoken to Frier about the prisoner that night before you saw what you have stated? **A.** I had—I

had not desired him to be in waiting—I knew where Frier's beat was, and knew he was in command of my rattle—he came up in less than two minutes after I sprang my rattle—I had not spoken to Frier about taking him into custody before I sprang my rattle.

Q. You had no conversation with him about that night? *A.* Allow me, sir, to explain; there had been a coal-cellar plate taken off the pavement in New Ormond-street two nights before, and had I not been very cautious, I might have broken my leg—any one walking on might have put his leg down there; and attending, as was my habit, to the doors, it is very likely I might have slipped down, but I had my eyes about me—this plate being gone, I was induced to search for it—I found it in the street, and replaced it—I called the inhabitant of the house, to request he would get it fastened, as a mischievous person might take it up, and produce serious consequences—two or three nights afterwards I found the same plate gone again, and moved to the end of the street—I did not find it for some hours—I placed a piece of board over the place—on the following night I saw this man trying the very same plate, which induced me to think that he had taken it off, with the intention of injuring us—seeing the old man doing such a thing induced us to be on our guard, and to watch him more closely—several little petty larcenies had been committed about the place, and we well knew, from the efficient manner in which the police is carried on in that neighbourhood, that any depredation in Chapel-street could not well be committed without its coming under our notice, and it was in Chapel-street that the greater part of the depredations had taken place.

Q. That is your explanation, is it? *A.* It is.

JOHN FRIER (police-constable E 118.) I heard Pomeroy spring his rattle, about twelve o'clock, on the morning of the 29th—I went to Chapel-street, and found him there with the prisoner by the collar—he was resisting him—he said he had not been near the door, nor seen the brass handle that night—he said at the station-house that he had tried the door that night about twelve o'clock.

Cross-examined. *Q.* You are sure he said he had tried it at twelve o'clock? *A.* Yes, quite certain—I have been on that beat five weeks—I know of no jealousy between the prisoner and the police—I never saw any difference between them, nor heard of any, nor have I any reason to believe it—I had not been in Pomeroy's company that night before I heard the rattle spring—I had seen him on his beat, but not spoken to him, nor he to me—the Magistrate admitted the prisoner to bail, and he has surrendered to-day to be tried.

SARAH DUCKER. I am servant to Mr. Hicks. I missed the knocker on the morning of the 29th of August—I found the nut-screw in the passage, just by where the knob was—I took it down into the kitchen, and gave it to Pomeroy when he called.

Cross-examined. *Q.* You did not go before the Magistrate? *A.* No, I had a subpoena from Pomeroy to come here—I was here yesterday—I have had no conversation with him about this trial—he has not said the man would be convicted, nor that he would be counsel for the prosecution—I do not recollect his saying any thing of the sort.

T. L. POMEROY re-examined. This is the nut Ducker gave me.

Witnesses for the Defence.

JOHN TURPIN. I am a greengrocer, and live in Great James-street,

Bedford-row. I have known the prisoner for sixteen years—during that time he has been a watchman, employed by the inhabitants, and they have continued him since the introduction of the new police—he was always in the habit of trying the doors and fastenings—he bore the character of an honest man—I get up at four o'clock in the morning all the summer—I have seen differences between the prisoner and the police—I have seen them what they call *lark*, knock his hat over his eyes, and drag him, pretending to take him to the station-house, and saying they would put him in the kennel—about a week before this, as I was coming out of my door, the sergeant and him were at high words—the sergeant said, “I am perfectly satisfied, I have searched you, and don't find any bolt about you; go about your business”—I asked the prisoner what had been the matter—he said, “They have accused me of stealing a bolt, but I have never touched it, only to try it”—I have heard them say that this charge was a sort of *lark*—I have not heard Pomeroy say any thing about it—the police have considered him in their way.

COURT. Q. How do you know that? A. By remarks I have heard from the policemen—they say he is a troublesome old man among them—he watches them—I have heard them say so. They run away like thieves when I come out of a morning—there is four at a time on him—I have seen it—for several years they have been persecuting him.

WILLIAM WILSON. I am a plumber, and live in Chapel-street. I have heard Pomeroy say, “Before the night is over, I will roll the old watchman in the kennel,” and that he would get him off the beat—that was about a week before this charge—I was not up on the morning this took place. I heard a talking at my door, which is a few doors from Mr. Hicks's—I thought it was a tipsy female—the rattle sprang, and I went to the window instantly, and by the time I crossed the room, and got the window up, there was a policeman from Great James-street, and another from Lamb's Conduit-street, like a flash of lightning, as if they were stationed at the corner for the very purpose—I have known the prisoner nearly twenty years on the beat, and believe him a most unquestionable character—I never heard a sentence against him—the inhabitants considered him worthy of their confidence—I am frequently at my door as late as ten or eleven o'clock at night, and he never passes a door without trying the bolts—he has frequently told me of mine not being fast—I have seen him continually annoyed by the police.

JAMES TYLER. I am a cabinet-maker, and live in Green-street. On Sunday evening, the 22nd of August, I had occasion to speak to Pomeroy—I asked what countryman he was, he said he was a Spaniard—he said, “There is a b——d old watchman down the bottom of the street; I will roll him in the kennel; there are two or three looking out for him, and he shall not be on the beat another week”—I have not seen the prisoner annoyed by the police.

JOHN NUNN. I am an oilman, and live at the corner of James-street. I have known the prisoner ever since he has been on the beat as an unimpeachable character—I would trust him with untold gold—I have seen him annoyed by the police at various times—they appeared anxious to get rid of him—he was in the habit of trying the different bolts.

NOT GUILTY.

Before Mr. Justice Maule.

2316. JOHN HOLLINGSWORTH was indicted for unlawfully, ma-
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liciously, and feloniously assaulting Thomas Smith Hollingsworth, on the 6th of September, and cutting and wounding him on the right side of his head, with intent to do him some grievous bodily harm.

MR. PAYNE conducted the Prosecution.

THOMAS SMITH HOLLINGSWORTH. I live with Mr. Biggins (who married my mother) in Torrington-place, St. Pancras. The prisoner is my brother, and lived in the same house. On Sunday, the 6th of September, about half-past two, we were at dinner—the prisoner was sitting at the table at the opposite corner to me—he took up a tumbler, and threw it at my head—I had said nothing to induce him to do so—I saw him take it up, and turned my head—it hit me on the right side of my head—after that I saw him take up a knife off the table—I then ran out of the room—my head was bleeding—Mr. Hunter, the surgeon, dressed it—my brother had told me, about eight o'clock the night before, that he would murder me—I had given him no provocation to throw the tumbler at me—the tumbler was broken by the blow, and cut me—I had not said a word to him the night before when he said he would murder me—he was not in a passion, he was in earnest—I was not good friends with him—he had used me bad, and I ran away for two days before, and kept from home.

Prisoner. I have nothing to say—what he has said is true.

JOHN BIGGINS. I married Mrs. Hollingsworth. I am a clerk in the City—I was at dinner on Sunday, the 6th of September—the prisoner came down from the bed-room to dinner in a suppressed agitated manner, with his lips clenched, and his countenance grinning as if he wished to conceal his agitation—he had not sat down five minutes before he took up the tumbler and threw it at his brother's head, with all his might, and he began to rave about murder and revenge—he vowed he would have his revenge while one of the family were left—he did not say for what—he then seized the carving-knife—I immediately rushed on him and seized both his hands, and his other brother disarmed him; his mother, in trying to seize the knife, had it drawn through her fingers, and she rushed out of the room—his brother Joseph assisted in detaining him—I thought he was going to stab his brother—there was no cause of quarrel—the prisoner is a medical student—I moved to this house in consequence of his not being satisfied where I lived, and that he might be near the London University—I have known him nearly four years—I always thought him half-mad, but am most decidedly of opinion that he is deranged now—I do not think he was of sound mind at the time he took the tumbler up—I offered him liberal terms to prevent this coming into Court, and he said he would rather it came into Court—he talked of going to church and addressing the congregation about me—he once held a knife to his throat, and threatened to cut it when we came from church—he once threw up the window and called the police, and said he would go to prison—I called a surgeon in on one occasion—he was apprenticed to Mr. Rayner, of Uxbridge—three weeks ago last Sunday, he said his mother must take a post-chaise and bring him to London—on the 5th of September the younger brother slept out from fear of him.

JOHN HUNTER. I am a surgeon, and live in Hart-street, Bloomsbury. On Sunday, the 6th of September, I went to Mr. Biggins's house, and examined the prosecutor's head—I found a contused wound on the right side of the head—the hair was saturated with blood, and the collar of his shirt deeply stained with blood—it was a wound very likely to be inflicted with a tumbler, if he turned his head to avoid the blow coming in front—

I did not consider it a dangerous wound, being superficial—I saw the prisoner on that occasion, and from what he said I can form a judgment of his state of mind—I can only judge of what he said from the evidence of other parties—I judged from what I saw of him—I consider his state of mind to be insane, with lucid intervals—I think him insane at that time—I asked him his motive for having attacked his brother in this atrocious way—he was dogged, and would give no answer, but said he would go to prison—I reasoned with him, whether it would not be better to remain in his father's house and behave better in future—he disclaimed all idea of good behaviour, saying he would do the same thing over and over again, and wished to go to prison—his look was not furious, but it was the look of an insane man, to my judgment—I have seen insane persons—he had that peculiar look which is indescribable, a coward-like quivering of the lip, and his face effused with blood—I was sent for by his parents again, to inquire if he would ask forgiveness, and engage that he would not attempt the same again, and they would provide for him to reside at my house—he refused—I saw him also in the hall, and again asked him to promise to behave better, and come and live with me, and give me a pledge that he would never attempt such things—he said, “No, I will give no pledge whatever—I will give no promise—I will do it again and again”—his mother said, “Will you give Mr. Hunter any pledge that you won't do it again?”—he said, “No, I will give no pledge, I will do it again and again, I will go to prison”—this makes me feel that he is labouring under a blind influence, which he considers he has no power to counteract, and that he is morally not guilty, because he says, “I cannot help it.”

COURT. Q. You were willing to take him into your house? A. I proposed it to him, and he refused—he said he must live in his father's house or he would go to prison—I was to take him into my house to relieve the family from their anxiety from his violent conduct—I was informed he behaved well at Mr. Rayner's.

WILLIAM RAYNER. I am a surgeon at Uxbridge. I have known the prisoner since 1833—I attended him when at school at Uxbridge—he is now about 21 or 22 years old—he was apprenticed to me—I attended him while at school for an affection of the brain of so violent a character, that I would not take the responsibility on my own shoulders, and urged the master to send him home instantly—I imagined he would have a brain fever—that is a disease which very often leaves a permanent affection on the mind—people do not recover their mind at all sometimes after brain fever—it was a very violent brain fever—he was then 13 or 14—it was a surprise to me that he recovered—he was apprenticed to me about six months ago or more, with the sole view that his education should be gone through with at University College—it was a matter of convenience for him that he was apprenticed to me, that he might effect his studies at the College—he was not to serve me as an apprentice for my convenience—I had him down at Uxbridge in July—he left me, I think, in August—he was not with me more than a fortnight—he was occasionally at my house—I noticed that he was in a very excited, nervous, irritable state—I could not account for his conduct—it appeared extraordinary to a degree—I formed an opinion as to the state of his mind—that he is occasionally out of his mind—perhaps I should mention that he always entertained the greatest affection for his brother, and it is a mark of insanity that that affection should turn to the most entire hatred.

FREDERICK RAYNER. I am brother of last witness, and am a surgeon at Uxbridge. I frequently saw the prisoner there—my opinion from what I have seen of him is, that he is of unsound mind—I have thought so for two or three years that he is occasionally of unsound mind—frequently on conversing with him on simple subjects he has risen from his seat, walked round the room making most horrid faces, and commencing some political discussion not in reference to the conversation at all—he was constantly discussing politics.

Prisoner. I have nothing to say; all I can say is, at the time it seemed to me as if I was bidden to do it, and could not help it; I am sorry; I love my brother.

NOT GUILTY, being insane.

Before Mr. Baron Rolfe.

2317. **GEORGE DIMOND** was indicted for b—g—y.

GUILTY. Aged 53.

Before Mr. Justice Maule.

2318. **GEORGE DIMOND** was again indicted for a like offence.

GUILTY. Aged 53.—Death.

First Jury, before Mr. Recorder.

2319. **JOHN FLETCHER NELSON** was indicted for feloniously forging and uttering, on the 5th of September, a request for the delivery of goods; also for a like offence, on the 13th of June; also for embezzling, on the 25th of June, 2*l.* 2*s.* 6*d.*, of William Slack, his master; to all of which he pleaded

GUILTY. Aged .—Transported for Ten Years.

2320. **ROBERT ELLIS** and **MITCHELL STATE** were indicted for stealing, on the 3rd of September, at St. George, Hanover-square, 2 paintings framed and glazed, value 25*l.*, the goods of John Frederick Pinney, in his dwelling-house.

SUSAN GREEN. I have charge of Mr. John Frederick Pinney's house, No. 30, Berkeley-square, in the parish of St. George, Hanover-square—he is out of town at present. On the evening of the 3rd of September, about eight o'clock, I noticed the street-door open, and found the dining-room door open also—I missed two pictures, worth about 25*l.*—I had shut the dining-room door a quarter of an hour before, and they were quite safe then—I suppose the street-door was left insecure by a person who had just left the house.

Cross-examined by Mr. BALLANTINE. Q. I suppose you do not know the real value? A. No—I have been told the small frame cost two guineas—my master is out of town.

WILLIAM MILLERMAN (*police-constable B 95.*) On the 3rd of September, about nine o'clock in the evening, I saw the prisoners in Chapel-street—each had a picture—I stopped Ellis, and asked where he got them—he said he bought them in Chelsea—I took him along, and at the corner of Tothill-street, State passed the picture he had to Ellis, and said he would go and call his sister, or something to that effect—he made his escape—I took Ellis to the station-house—he said he brought it from Johnson, in Ebury-street—I found no such person there—I apprehended State the following Sunday—he denied the charge, but at the station-house he admitted receiving the picture at the top of York-street from Ellis.

Cross-examined by MR. JONES. Q. Is Chapel-street, Westminster, a large-street? A. Yes—it is pretty well frequented—they were walking very fast—State was present when I asked Ellis where he got them from—they muttered a few words, but I could not hear it—they walked together for about five minutes—Ellis took the picture readily from State—I should have taken it myself, but I could not—when I apprehended State on the Sunday I told him I wanted him—he asked what for—I said, “About the pictures”—he was all in a tremble, and said he knew nothing about it—he was very much agitated—I did not say he was charged with stealing the pictures—I said I wanted him about some pictures—I might say about “taking” pictures—it was after that he said, “I know nothing about it”—he told the inspector at the station-house Ellis had given it to him at top of York-street—he did not say it when I took him—he was close to the station-house when I took him—I met him promiscuously in the street—I have not inquired where he lived—another constable knew him, but he did not tell me where he lived—I did not go into the neighbourhood to look for him—Ellis did not tell me he had given the picture to State to help him carry it, nor did State say he gave it him to “help him carry it.”

ANTHONY ROSE. I am a policeman. On the evening of the 3rd of September I saw the prisoners in Great Chapel-street, a little after seven o'clock, going up York-street—they had nothing then.

Cross-examined by MR. JONES. Q. Was it before or after seven o'clock? A. About ten minutes after seven o'clock—it would take three-quarters of an hour to walk from there to Berkeley-square—I swear I saw State there before half-past seven o'clock—it was ten minutes after—I did not look at any clock—I will swear it was not a quarter after—I can make no mistake about it.

MR. JONES called

MARY ANN ROBERTS. I am the wife of Edward Roberts, a butcher, in Great Chapel-street, Westminster. State is my nephew—he was in our employ till last Sunday week, and on Thursday evening, the 3rd of September, I saw him about seven o'clock—I cannot say what time he came—he was standing talking to Hayes, our man—I cannot state at what time he left our house that evening, but I saw him from seven o'clock till half-past—I am certain I saw him as late as half-past seven—I know the time—there is a clock right opposite the shop—I went out to see the time, not having a clock down stairs, and it was just half-past seven o'clock—he was here then—he was in the habit of coming backwards and forwards, and standing talking for an hour at a time to us—he left us, we did not discharge him—he slept at his mother's, at Bayswater.

COURT. Q. Did you see any thing of the other prisoner that evening? A. No—our house is full two miles from Berkeley-square, but I do not know exactly—he might walk there in half an hour.

MR. JONES. Q. Am I to understand he might have left your place later than half-past seven o'clock? A. Yes, but not earlier.

ALEXANDER HAYES. I am journeyman to Mr. Roberts. I remember State being there on the evening of the 3rd of September—he was there from about ten minutes or a quarter to seven o'clock till half-past, or rather later—I can swear he was there as late as half-past—he did not go away earlier—Ellis is my brother-in-law—he and State have been acquainted together from childhood, they were born within a stone's throw of each other.

COURT. Q. Did you happen to see your brother-in-law in Great Chapel-street that day? A. I did not—State came to speak to me, and was standing in the shop—I went to have something to drink with a friend, and he went away from the front of the shop while mistress was standing there.

Mr. JONES. Q. Did you see him between the 3rd of September and his being apprehended? A. I did not—he came to the shop on Sunday morning, the day he was taken.

(The prisoners received good characters.)

ELLIS—GUILTY. Aged 22.—Confined Twelve Months.

STATE—GUILTY. Aged 19.—Confined Six Months.

2321. ELLEN NEALE was indicted for feloniously cutting and wounding Catherine Neale, with intent to do her grievous bodily harm.

CATHERINE NEALE. I am the wife of Daniel Neale, and live in Waltham-place, Whitechapel. The prisoner is my husband's mother. On the 1st of September, I was at my husband's sister's house in King-street, Wapping—the prisoner and her sister came up to my place afterwards, and brought my husband with them—as I went up stairs the three of them attacked me together on the stairs, and I got cut in the left hand—I do not know which of them did it—I cannot swear the prisoner did it—she had threatened me about a fortnight or three weeks ago, but she was drunk at the time—she is an old woman, and I do not wish to injure her—I was not much hurt—the three of them beat me together—I cannot say of more than another—she can understand English, but cannot speak it.

JAMES CRAWFORD (*police-constable K 253.*) On the 1st of September I went to King-street, and saw the prosecutrix on the stairs, and blood flowing from a wound in her left hand very profusely—she made a complaint of having been cut—in consequence of what she said I went into the back yard, and found the prisoner concealed in the privy—I found the razor in her pocket—there is no mark of blood on it—the prosecutrix gave charge of her.

GEORGE BETSON. I am a surgeon at Wapping. I examined the prosecutrix's left hand, and found a small wound on the back of it, about an inch long, and about a quarter of an inch deep, not at all serious—I examined the razor, and should consider that would make the wound.

Prisoner's Defence. The woman came in drunk and struck me with a candlestick, and treated me very ill indeed.

CATHERINE NEALE *re-examined.* I do not know whether any candlestick was used, being in the dark, but it was not much of a cut—I cannot say the prisoner did it.

NOT GUILTY.

2322. CAROLINE MANDER was indicted for stealing, on the 1st of September, 2 gowns, value 8s.; 1 yard of velvet, value 8s.; 1 pair of boots, value 2s.; 1 parasol, value 2s.; 1 veil, value 5s.; 1 petticoat, value 1s.; and 9 yards of printed muslin, value 6s.; the goods of Gertrude Hawkings Roberts.

GERTRUDE HAWKINGS ROBERTS. I am single, and live in Bentinck-street, Berwick-street, Soho. The prisoner was my lodger—I missed the articles stated out of a chest of drawers at different times—they were locked.

JAMES DRISCOLL (*police-constable C 2.*) In consequence of information I apprehended the prisoner in Peter-street, St. James's, and took her to the station-house—she said she lived in Husband-street, but she did not know the number—she said it was the first floor front room—I went there to Priddy's house, and found these articles in a middle drawer.

SARAH PRIDDY. I live at No. 7, Husband-street. The prisoner lodged in my room from Monday till Thursday—when she came in she put a bundle on the top of my bed, and said it was her bundle—I put it in my middle drawer, as she had no box—I do not know what was in it—I saw her go to the bundle, and take the pocket-handkerchief, or something—the policeman took the bundle away.

GERTRUDE HAWKINGS ROBERTS *re-examined.* These things are mine—some are marked—the prisoner said she got her living by making shirts—I was not with her, as my occupation takes me out—she appeared a decent well behaved girl, but I understand did not keep good hours—I was not at home while she was there—I left all my drawers locked—on the 4th of August, when I went home, I found two strange keys in my drawer, and she was gone—I gave them to the officer—one appeared like a picklock—she said at the station-house if I would not appear against her, she would tell me where all the things were.

GUILTY.* Aged 20.—Transported for Ten Years.

2323. **DAVID WHIPP** was indicted for assaulting Emma Jepson, aged 8 years, with intent, &c.

GUILTY of a Common Assault. Aged 63.—Confined Twelve Months.

NEW COURT.—Thursday, September 17th, 1840.

Fifth Jury, before Mr. Common Sergeant.

2324. **JOSEPH FLINT** was indicted for stealing, on the 9th of September, 1 looking-glass and stand, value 1*l.*, the goods of Antonio Perugia.

ANTONIO PERUGIA. I live in York-street, Westminster. I missed a looking-glass and stand from my shop on the 9th of September, a little after eight o'clock in the morning, and saw the prisoner crossing the road with it—I ran out, caught him, and brought him back with it—this is it.

JOHN MARSHALL. I am an officer—I took the prisoner.

Prisoner. I had it given to me, and when I saw him coming after me I turned and gave it him.

GUILTY. Aged 25.—Confined Three Months.

2325. **CATHERINE SHEA** was indicted for stealing, on the 10th of September, 1 pair of stockings, value 2*s.*; 4 shillings, 1 groat, 6 pence, and 12 halfpence; the property of Richard Marks, her master.

RICHARD MARKS. I keep the Duke of York public-house, in Liqueurpond-treet—the prisoner was my servant. On the 9th of September, about eight o'clock, I unlocked my cupboard-door, and counted the money in my cash-box—there was 7*l.* 10*s.*, but there ought to have been 7*l.* 17*s.*—part of what I missed were shillings, and one groat, some pence and halfpence—I spoke to my daughter, and a pair of stockings was missed—the prisoner was questioned, and denied having any money—my daughter insisted on her turning her pockets out, and four shillings and some coppers were found—she then said she had brought 3*s.* into my service, and a man in the tap-room had given her 1*s.*

ROSIANNA ELIZABETH REES MARKS. I am the prosecutor's daughter. These stockings are mine, they were missed, and they were found under the prisoner's bed—she said she took them to wear—she had cut my name out of them—my father provides my things.

GUILTY of stealing the stockings. Aged 22.—Confined Six Months.

2326. MARY ROOK was indicted for stealing, on the 7th of September, 1 bowl, value 3*d.*; 8 shillings, 9 sixpences, and two groats; the property of John Milne.

JOHN MILNE. I keep the Flying Horse public-house, Wilson-street, Finsbury. On the 7th of September, about five o'clock, I was serving gin and milk—I heard a noise at my till in my counter—I had this bowl—(*looking at it*)—in my till, and to the best of my knowledge it had 12*s.* or 13*s.* in it—there were several shillings, sixpences, and groats—on hearing the noise my wife went into the bar to see what was the matter, and I saw some of the party who were at the counter drawing their hands from that side where the till was—their hands had no business there—my wife went and found the till a little drawn out—she missed the bowl and silver—she accused the prisoner, who was going to the door, with having stolen the bowl—I went after her, and caught her—I saw her throw this bowl away, as she was running in the street.

Cross-examined by MR. PAYNE. Q. You say some of the party were there? A. Yes, there were three men with her—I could not see any particular hand in my till—I was in my bar parlour—I was in Wilson-street, ten or twelve yards from her, when I saw her throw the bowl away—I am quite sure I saw her throw it—my boy was nearer to her than I—I know the bowl by its general appearance, and by No. 2 on the bottom—I have two more the same—I had seen it safe about ten minutes before the persons came in for the gin and milk—the money was then safe in it.

GEORGE GIMBER. I am the pot-boy. I came in and heard my mistress accuse the prisoner—she was coming out at the door, and had the bowl in her hand, and a white pocket-handkerchief on the top of it—this is the bowl she had.

Cross-examined. Q. How was the handkerchief placed? A. Just on the top, it was not covered over it—I had not known her before, but I am sure she is the person.

WILLIAM HOLLAND (*police-constable N 146.*) I took the prisoner—in her pocket were found eight shillings, nine sixpences, two groats, and a few halfpence—one of the sixpences the prosecutor said he could swear to, as having been in the till a quarter of an hour before.

Cross-examined. Q. Did he say what money he had lost before you took the money? A. She gave up her pocket at the station-house, and this money was in it—I put it down, and the prosecutor said directly, "Here is a sixpence I can swear to, as having been in the bowl"—the prisoner said she had some money in her pocket, which she had earned as a milliner.

GUILTY.* Aged 26.—Transported for Seven Years.

2327. HENRY BURDETT FRANCIS was indicted for stealing, on the 12th of September, 5*dwt.*s. of gold, value 15*s.*, the property of James Aldridge, his master.

JAMES ALDRIDGE. I live in Northumberland-street, Strand, and am a jeweller—the prisoner was my apprentice. On Sunday, the 13th of September, somebody came to my house, and showed me a gold cutting—I cannot swear to the gold, but I verily believe it to be mine—I have gone over my stock, and missed about six pennyweights of gold—it was kept in a tin can—the prisoner and all the other men in the shop had access to it.

HORATIO THOMAS WILLIAM ELLIS. I am a jeweller, and live in King-street, Covent-garden. On the 12th of September, about half-past nine o'clock, the prisoner came, and offered me some cuttings for sale—he said his master had sent him—I asked who his master was—he said, “Mr. Robertson”—I said I would send a shopman with him, and then he would not tell me where it was—I sent for an officer.

GUILTY. Aged 17.—*Recommended to mercy by the Prosecutor and Jury.*
Judgment Respited.

2328. **JOHN SAVAGE** was indicted for stealing, on the 11th of September, 1 pair of boots, value 12s., the goods of Joseph Peate.

JAMES GABRIEL. I am in the employ of the West India Dock Company. On the 11th of September, about half-past eight o'clock in the evening, I was in Mr. Peate's shop, and saw the prisoner and another lad unhook a pair of boots outside—I pursued the prisoner, and just before I took him he threw one boot down—I saw the prisoner take one boot, and the other who has made his escape one.

THOMAS MANNING. I am foreman to Mr. Joseph Peate; he lives in Ratcliff-highway. I received information that the boots were stolen—I looked about, and missed a pair—Mr. Gabriel brought in the prisoner and one of the boots—this is the pair of boots—(*looking at them*).

Prisoner's Defence. I was walking along, and the witness took hold of me. I made no resistance. I had been out of work for three weeks.

GUILTY. Aged 21.—Confined One Month.

2329. **JOHN WILLIAMS** was indicted for embezzlement; to which he pleaded

GUILTY. Aged 32.—*Recommended to mercy.*—Confined Six Months.

2330. **HENRY HARCOURT** was indicted for stealing, on the 13th of September, 1 handkerchief, value 3s., the goods of William Thornton, from his person.

WILLIAM THORNTON. I live in Harrow-road. I and my daughter were in Chapel-street last Sunday evening—I felt something at my pocket, felt, and missed my handkerchief, which was safe seven or eight minutes before—I immediately turned round, laid hold of the prisoner, and accused him of having it—he denied it, but I saw it tucked under his arm—he said, “Don't hold me so tightly”—I said I was determined to give him into custody—I knew that if I let him go he would have slipped off his jacket and got away—he then gave himself a twist, and dropped the handkerchief—my daughter took it up.

Prisoner. A woman took up the handkerchief, it was not his daughter.

GUILTY. Aged 19.—Confined Nine Months.

2331. **JANE KENLEY** was indicted for stealing, on the 14th of September, 7 pairs of gloves, value 10s., the goods of John Wills.

GEORGE BATTS. I am foreman to John Wills, a hosier, in Oxford-street. On the 4th of September the prisoner came for a pair of socks, which the shopman went to the end of the shop for—I was behind the prisoner, and when he took these seven pairs of gloves, and put into her apron—I said nothing, but followed her up Oxford-street—she turned, and said she knew why I was following her—I said, if she did that was quite sufficient, and she might as well go with me to Marlborough-street, which she did—the magistrate had left, and the officer took her—she threw the gloves out of

her apron in Oxford-street, the apprentice took them up, and handed them to me—they were never out of my sight.

Prisoner. I told you I took them up in mistake. *Witness.* No, she begged for forgiveness, and said she would never do it again—she worked the parcel down, as it was standing in a sloping direction, and put it into her lap, then put another parcel in its place, that it should not be missed.

GUILTY. Aged 32.—Confined Three Months.

2332. ELLEN THOMPSON, *alias Cook*, was indicted for stealing, on the 11th of September, 1 basin, value 1s.; 1 towel, value 6d.; and 1 apron, value 6d.; the goods of William Tarran.

MARY TARRAN. I am the wife of William Tarran—we live on the second floor at No. 6, Exeter-street. I had a towel, basin, and apron on the balustrades on the 11th of September—I went out at one o'clock, and missed them when I came home at half-past nine—the towel is marked, and it is mine—I can swear to this apron—(*examining the articles.*)

Prisoner. The apron is mine, and I can prove it—I know it by a darn in the front with white cotton. *Witness.* I know it is mine—it is old, and I have darned it myself.

GEORGE HEALEY (*police-constable D 42.*) I was on duty in Lisson-grove, and was fetched to the prosecutor's lodging—the landlord gave the prisoner in charge for stealing the basin—the prisoner has this towel in her hand, and was using it as a pocket handkerchief, and this apron was on her arm—I took her to the station-house—she said she was going to wash herself in the back-yard with the basin.

Prisoner's Defence. The basin was not in my possession, the officer sent a man up stairs for it; the towel I know nothing of. The officer has taken a false oath, it was not found on me.

GUILTY.** Aged 32.—Transported for Seven Years.

2333. ELIZA ALEXANDER was indicted for stealing, on the 29th of May, 9 spoons, value 2l. 5s.; 2 sheets, value 12s.; 1 shirt, value 4s.; and 1 handkerchief, value 2s. 6d.; the goods of John Ellis, her master.

JOHN ELLIS. I live in Brudenell-place, Hoxton—the prisoner was in my service. On the 31st of August she was not at home, and I got tea myself—while I was at tea, I ordered her to bring up the spoons, and they were gone—I went down into the kitchen, and said I was determined to have them—she then said she had pawned three, and she gave me the duplicates—I went to the closet and found there were nine missing—I went to Mr. Edwards, in Hoxton, where the duplicates led me—I there found nine spoons, two sheets, a shirt, and a handkerchief—these are the articles—the sheets are marked with my name and also the spoons.

THOMAS DURRANT. I am in the service of Mr. Edwards. I have produced the property—the sheets and spoons were pawned by the prisoner.

GUILTY. Aged 29.—Confined Six Months.

2334. ANN ELIZA RYAN TONEBY was indicted for stealing, on the 7th of September, 1 fork, value 10s., and 1 pair of stockings, value 1s., the goods of James Rosier, her master.

JAMES ROSIER. I live in Spencer-street, Clerkenwell—the prisoner was in our service. This silver fork was safe on the 7th of September—I cannot say when these stockings were safe—they had been in the drawer some time—I had not seen them for months—the fork is marked—the

stockings are a peculiar pattern, I can swear to them from having worn them—most undoubtedly.

Cross-examined by MR. DOANE. Q. How long had the prisoner been in your service? A. About three months.

JOHN HALL (*police-constable G 220.*) I was in the shop of Mr. Walker, a pawnbroker—on Monday, the 7th of September, the prisoner was in front of the shop, and the pawnbroker had this fork—he detained her, and stated to me that the fork belonged to her—she said it belonged to her, and then said, it did not belong to her, but she found it in Bloomsbury.

SAMUEL WALKER. This is the fork the prisoner offered to me on that occasion.

MARY ANN REDMAN. I am searcher at the station-house. I found these stockings under the prisoner's arm-pit.

GUILTY. Aged 24.—Confined Six Months.

2335. JAMES LEONARD was indicted for stealing, on the 3rd of September, 7 towels, value 14s.; 1 window-blind, value 2s.; and 3 dresser-cloths, value 5s.; the goods of the Honourable Henry Cecil Lowther.

MR. CLARKSON conducted the Prosecution.

SARAH CLAYPOLE. I am second kitchen-maid in the establishment of the Hon. Henry Cecil Lowther—he lives in Bruton-street. On September the 3rd, I went to the housekeeper's room about three minutes before eight o'clock, to lay the cloth for breakfast, the door was partly closed—I rapped at the door, and received no answer—I went into the room, and there I saw a sweep standing—I did not know of any business that any sweep had there—the linen-press is kept in the housekeeper's room, close by where the sweep was standing—he had a bag with him—the mouth of it was in his hand, and the remainder of it on the floor—there was a sweep's brush on an arm-chair in the room—the prisoner is the man I saw there—I have not the least doubt about it—I asked how he came there—he said, "I have come to sweep a chimney"—I said, "What chimney?"—he said, "The housekeeper's room chimney"—I had not let him in, and do not know how he came there—I asked where he came from—he said, "From Wingall's"—he did not say Mrs. Wingall, (she is the person employed by Col. Lowther as a sweep,)—he said he had been told yesterday to come—I told him I had heard nothing of it, and he could not sweep the chimney then, as I was going to bring in breakfast—he said, "Very well," and, as he turned his bag on one side, I perceived a hole in it, and something white shining through it—I asked what he had got in his bag—he said soot—I told him it was not soot, there was something white shining through a hole in the bag—he said sometimes pieces of white paper got in with the soot—he threw his bag over his shoulder—I perceived something more, shining white, and asked him again what he had got in his bag—he said, "If you think there is any thing wrong in my bag I will leave it"—I wished him to leave it—he was walking on all the time of this conversation, and I followed him through the servants' hall to the area—he told me he would leave the bag in the dust-hole—I followed him to the dust-hole—he left the bag there, went up the area steps, and went away with the sweep's brush in his hand—I then went to the bag, opened it, and took out a towel which laid on the top—it was marked "L. No. 24"—I knew it was my master's—finding my master's property was in the

bag, I took the bag back, and put it in the housekeeper's-room—I went and told the housekeeper, and we found in the bag all these articles, which are my master's property—on the next day, between eleven and twelve o'clock, I went to Vincent-street station—I saw the prisoner there, not dressed as a sweep, but as a gentleman—I have no doubt at all that he is the man.

Cross-examined by MR. DOANE. Q. His face was black when you saw him first? A. Yes, rather black; there was another man where I saw the prisoner the next day, but I saw him before he was pointed out—I did not take particular notice what kind of a man the other was.

MARY WISKER. I am housekeeper to Col. Lowther. I was called by Sarah Claypole, and examined the sweep's bag—I found these things in it—the other kitchen-maid took them out by my orders—they are my master's—I had not ordered any body to come to sweep the chimney—I do not know the prisoner at all—I had been in the housekeeper's-room five minutes before Sarah Claypole went in.

JOHN MARTIN. I am son-in-law and foreman to Mrs. Wingall. I know the prisoner well—for five years he has assumed the character of a sweep, but I never knew him in any service—I have seen him in the dress of a gentleman, with silk gloves and boots, and a silk umbrella.

Prisoner. I can prove that witness is a rogue and a thief.

ANDREW VALLANCE (*police-sergeant C 11.*) I know the prisoner well—I have not seen him in the dress of a sweep; when I have seen him he has been dressed as a gentleman, as he is now, and sometimes with a ring on his finger, not at all like a labouring man—I received information of this robbery, and went after the prisoner—I found him in Seven Dials—he saw me, and ran away—a policeman took one way, and I took the other—the prisoner came running out of a court in Crown-street, and I took him—I told him I wanted him on suspicion of a robbery in Bruton-street—he said he knew nothing of it—I found on him 2*l.* 2*s.* 6*d.* in money, a silver watch, a silver guard, a union pin, a ring on his finger, two gold seals and a key, and a wig—they were ordered to be given up to him at the office.

For the Defence MR. DOANE called

FREDERICK JONES. I am a smith, and live at No. 14, Clark's-buildings, Broad-street, Bloomsbury. I know the prisoner—he is a sweep—I have known him eighteen months—I remember the night of Wednesday, the 2nd of September—I was at the Mogul public-house, in Drury-lane—there was a concert there that evening—I was there with the prisoner and a friend of the name of Owen—when we parted that night Owen said he had a two years' engagement at Manchester, and we should not see him for a good while, for if it suited him, he should stay there; and he said, "You may as well come to the Spread Eagle to-morrow morning, and see me off"—we went the next morning to the Spread Eagle, Gracechurch-street, a little after seven o'clock, and Owen went off by the conveyance to the railway about twenty minutes after seven o'clock—after he was gone we met Mr. Russell, who formerly kept the Antelope public-house—that was about half-past seven o'clock—he said, "There you are"—(he knew us from using his house)—he said, "It is a nasty morning, will you take a drop of any thing to drink?"—we said we did not mind—he said, "I have got a friend here not far off," and Mr. Russell, the prisoner, and I all went to Mr. East's, at the White Hart tap

Liverpool-street, Bishopsgate—we had something to drink, and staid there, as near as I can guess, an hour, or it might be above an hour, and it was half-past seven o'clock when we got there—the prisoner and I came out—we left Mr. Russell—the prisoner and I went on towards the west end—we had something to drink once or twice in going along—we went on to a coffee-shop, and there we had breakfast—I parted with the prisoner about ten o'clock—I went to the police-office, but Mr. Robinson said I should not be heard.

MR. CLARKSON. Q. I gather from what you told my friend that you had known the prisoner for eighteen months; how did you first become acquainted with him? A. By using the same public-house, in Marylebone-street—I have always heard him spoken of as a respectable man—I knew him, but had not been intimate with him till within this last month—I have not been particularly intimate with him—I saw him in August—I do not recollect that I saw him in July—I saw him in June—I met him in the street, but I cannot recollect on what day—I remember that I saw him on the night of the 2nd of September, because I sent in a bill the next day to Mr. Davies—I did not tell Mr. Robinson that was the reason why I recollect it—the prisoner is not married—he lives at No. 5, George-street, Bloomsbury—I do not know how long he has lived there—I do not know him as living there no more that he told me he resided there—I have never been to his house—he used to work at Marylebone, but I am not aware who he worked for—I have seen him with a black face, and with a white one—I never mistook him for any body else—I do not know whether he lives at the top or bottom of the house—the last time I saw him he told me he had had leeches on, and had had a bad eye, and he had bought a wig in place of his hair, having had his hair shaved off—he took off his wig to show me—I do not know what day that was—it was not on the morning we went to see Owen off—it was not a month ago, but about a fortnight, as near as I can guess—I do not know that he showed it to Owen—I do not know that he had had any leeches on his finger, which made it necessary that he should wear a ring—I have seen him with a silver guard-chain—there is no person here from the coffee-shop, or from the other houses we went into—I am a coach-smith and master for myself—I have my card here—(*producing it*)—this says, “No. 1, Short’s-gardens, Drury-lane”—this is where my shop is—I have had that shop two years—the last person I did a job for was Mr. Davies, in Wigmore-street—I do not know that Davies ever has leeches and a wig—I have seen him with a silver guard-chain and ring—I never wear a chain and seals myself—I bought the coat I have on of Mr. Wolfe, at the corner of New Compton-street and Moor-street, about a fortnight ago.

Q. Will you swear it is a week ago, or three days ago? A. No, nor one day ago; it is about a fortnight.

Q. Will you swear you bought it earlier than yesterday? A. No, I will not—I bought it about a fortnight ago—it was on a Monday, not last Monday, but Monday week—I recollect it—it was last Monday week, about twelve o'clock in the day—I have not got a bill of it—I gave 1*l*. for it—I took no receipt—I know Wolfe—he is a short, dark man—Owen is at Manchester—on the 3rd of September it rained in the morning, small rain, and was slippery—I went to the prisoner’s lodgings for him.

Q. Do you recollect swearing you never was at his lodgings? A. I was outside, I never was inside.

JOHN RUSSELL. I live in Fann-street, Aldersgate-street—I am out of business now, but I am going into a public-house—I used to keep a public-house, and before that I was a builder. The prisoner used frequently to come to my house when I kept the Antelope, in White Hart-court, Drury-lane—I saw him in Bishopsgate-street on the 3rd of September, about half-past seven o'clock, with Frederick Jones—we went to a friend of mine, who keeps the White Hart tap—I did not learn where they had been—we went to Mr. East's tap, and remained there nearly an hour, I dare say—I should think it must have been near nine o'clock when we came away.

MR. CLARKSON. Q. Did you go away together? A. No, we came out together, and parted—the last I had to do as a builder was in Hackney-road—it may be three years ago since I was concerned as a builder—I was a master-builder, but I quitted it—I became a bankrupt—I had my certificate, but I have not got it with me—I do not know what was the amount of my debts, perhaps rather more than 2000*l.*—there was property almost sufficient to pay the whole—I do not know how much was paid—I was not any thing before I was a builder—it is about a year and a half since I turned publican—during the year and a half after I left being a builder, and before I was a publican, I did a good deal as a surveyor—I then lived in Silk-street, Milton-street—that is the street which used to go by the name of Grubb-street—I was a housekeeper there, and paid 20*l.* a year—I had not my name or my business as surveyor on the door—I have been in this Court before, to give characters to one or two persons—I only knew the prisoner by his coming backwards and forwards to my house—I left the Antelope because the lease expired, and my time was up—the brewer had to put the house in repair, and he was obliged to take it himself—the licence was not expired—I did not owe any thing—I paid for all I had as I had it—I paid 160*l.* for taking the house.

Q. Where did you get it? A. I cannot tell—some I borrowed, and some I saved—I am expecting to go to the next house to where I live—I have no property, only my own earnings—I am worth more than 5*l.*—I do not borrow of chimney-sweeps—I do not know the witness Jones—I never saw him till this day fortnight, to my knowledge—he was not dressed then as he is now—he had a blue coat on—I never saw the prisoner in a chimney-sweep's dress—I do not know any thing of him, only by seeing him come to my house—I know it was on the 3rd of September I met him, because on the next day but one they came and left a message that he was taken—I am not an accountant—I have never been here to give a character and sworn I was an accountant—I think it must be twelve months ago since I was here—it was more than six months—I have known the person I came to give a character to and his brothers for years—his real name was Holt, but I do not think that was the name he went in here—I forget the name he went in here—I was examined as a witness—I did not state that the name he went in was not his right name.

COURT to FREDERICK JONES. Q. What time did you go to Mr. East's? A. About half-past seven o'clock—I had met the prisoner before that—we had gin and milk at East's, nothing else—there was Mr. Russell and the prisoner—I do not know what we were talking about in particular, about different things—I talked but little—Mr. East and Mr. Russell were talking at the corner of the bar, and I was in front of the bar—I could not hear what they were talking about, not a word—I did not pay any attention—they were talking part of the time.

SAMUEL EAST. I keep the White Hart tap, Liverpool-street, Bishops-gate. I do not remember the prisoner coming to my house, but I remember Mr. Russell coming a fortnight ago, about eight o'clock in the morning—there were two other persons with him—one of them was a person like the prisoner, but I could not undertake to say that it was him—they staid about an hour, I think—they had three or four glasses of gin and milk—I recollect the day, because I was subpoenaed to come here.

MR. CLARKSON. Q. I dare say you have got the subpoena here? *A.* Yes, I supposed it would be asked for, never having been in a Court before—the witness Jones was one of the persons who came to my house—that was the first time I had seen him, but I have seen him once since—he called down at my house two or three days ago—he asked for a glass of something to drink, which I served him with—I had no conversation with him, not a word.

Prisoner. When Claypole was brought into the office at half-past twelve o'clock at night, she did not say I was the man; I was brought out, and pointed out to her by the officer.

SARAH CLAYPOLE *re-examined.* He was not pointed out to me—I knew him perfectly well when I first saw him.

GUILTY.* Aged 23.—Transported for Seven Years.

2336. **JAMES HOGG** was indicted for stealing, on the 31st of August, 2 sovereigns, the monies of Sarah Stacey, his mistress; to which he pleaded

GUILTY. Aged 24.—Confined Three Months.

2337. **ARTHUR JAMES HUMPHRIES** and **WILLIAM BURT** were indicted for stealing, on the 27th of August, 1 coat, value 2*l.*; 3 waistcoats, value 15*s.*; 1 card-case, value 1*s.*; 1 lancet, value 2*s.*; 1 handkerchief, value 4*s.*; 1 pair of trowsers, value 5*s.*; 1 hat, value 15*s.*; and 1 pair of gloves, value 1*s.*; the goods of James Seymour Leeson; and hat Burt had been before convicted of felony.

JAMES SEYMOUR LEESON. I live in Finsbury-square and in Chiswell-street. On Thursday afternoon, the 27th of August, between three and four o'clock, I was in my surgery, in Chiswell-street—in consequence of information from Burgess, I looked, and missed my frock-coat, handkerchief, trowsers, and other things, from the parlour behind the surgery—I had seen them safe about half-past three o'clock in the afternoon.

JOHN BURGESS. I am an errand-boy to a person in Chiswell-street. About half-past three o'clock, on the 27th of August, I saw Burt and two others standing at the corner of Type-street—when I looked towards Mr. Leeson's surgery, Humphries was peeping in at the door, and soon after I saw him coming from Mr. Leeson's with a coat on his arm—he walked down Type-street, and another young man that was with Burt went with him, and felt in the pockets of the coat—I then looked towards Mr. Leeson's, and saw Burt coming from Mr. Leeson's with a pair of trowsers, a waistcoat, and handkerchief—he came and asked me where Mr. Williams, the tailor, lived—I gave information directly.

Cross-examined by MR. PAYNE. The person who you say was Humphries came from the door with the coat, and gave it to the other man? *A.* Yes—that person is not here—Humphries was looking in at the door when I first saw him.

Burt. Q. Do you know who took the waistcoat? *A.* I saw you with

them when you came to me—I would have given you into custody if I had been able to leave my master's shop.

Burt's Defence. I was not near the place at the time.

HENRY COLEMAN (*City police-constable, No. 219.*) I produce a certificate of Burt's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

HUMPHRIES—GUILTY. Aged 20.—Confined Six Months.

BURT—GUILTY. Aged 19.—Transported for Fourteen Years.

2338. CHARLES EVERED was indicted for stealing, on the 9th of April, 2 watches, value 27*l.*, the goods of John Bird.

MR. CLARKSON conducted the Prosecution.

JAMES HENRY SIZELAND. I am foreman to John Bird, a watchmaker, in St. John-street, Clerkenwell. On the 7th or 8th of April I received a letter, purporting to come from the prisoner, in consequence of which I sent a written answer—Mr. Bird was at that time out of town—he returned on the 8th of April—on Thursday, the 9th, I went to the prisoner's house, in Spencer-street, Clerkenwell, between ten and eleven o'clock, and took with me half-a-dozen gold watches—he selected two, and said he wanted them for a customer, he would show them to him, and give me an answer in the afternoon—I cannot be positive whether he said the time, but I think he said about two o'clock—he did not return an answer that afternoon—I called that evening, but did not see him—the day after he called at the counting-house and saw Mr. Bird, and asked permission to keep them till Monday—he said the customer had seen them, but as they were for his wife he wished her to see them, and he was to return them on Monday, at two o'clock—he said they were in the country—on the Monday afternoon I called, and did not see him—he was denied—I called twice, and the third time I called they said he was not at home—I said I would see Mrs. Evered, then the prisoner came, and asked me to walk up stairs—I went up with him, and asked him if he had got the watches—he said no, but he would write by the mail, and send it in a parcel, it being too late to send a letter—on the Tuesday the watches were applied for again—Mr. Bird called on him once or twice, but did not see him, but left a message with his wife, and she produced a note—Mr. Bird and myself both went on the 15th, but we have never got them back.

Cross-examined by Mr. BODKIN. Q. You knew the prisoner, and where he lived? A. Yes, I had dealt with him myself—he had a silver watch shortly before, which he returned—he had two watches in an unfinished state, to look at the size, at the time he had these, which he returned, he was not offered a watch for 25*l.*, that I know of.

MR. CLARKSON. Q. If he had not represented to you that he wanted these watches to show a customer, and would return them in the evening, should you have parted with them? A. No—they were worth 27*l.* 6*s.*—he gave us the name of the person, Thomas Hardwick, a tea-dealer at Hitchin—I have the letter I received from him—he had not seen Mr. Bird before the watches were delivered—I delivered them to him for the purpose of showing them to a customer.

FREDERICK LINDER. I am a pawnbroker in North-place, Gray's Inn-lane. On the 9th of April the prisoner came to me and brought a gold watch, which is here—I think it was in the evening—he offered it to pledge—I advanced him 9*l.* on it—I believe this to be the same watch—there is another gold watch pawned the same day—the duplicate was written

my young man—it is dated 8th of April by mistake—9*l.* was advanced on it.

HENRY JARVIS. I am a police-inspector. I took the prisoner into custody, he begged me to let him go back to his wife and family—I searched his premises, and found some duplicates in the second floor back-room, by which I traced the watches.

Cross-examined. Q. You found them in consequence of what he told you? A. Yes, he told me if I would look in his secretary I should find them.

THOMAS HARDWICK. I am a tea-dealer, at Hitchin. I have known the prisoner some time—I ordered some gold watches from him in the early part of the year, it may be about six months ago—he sent no gold watches to me, I never received any—I have a watch that I received from him some years back.

Cross-examined. Q. Is he a man with a family? A. Yes, I know him as dealing in watches.

WAKELY. I was present at the prisoner's examination—I saw him put his name to a statement, and saw the Magistrate sign it afterwards—it was read over to the prisoner, this is it—(*read*)—"The prisoner says I had the order for two watches from Mr. Hardwick of Hitchin—I owed him 9*l.*—I made him a watch some years ago, he wanted a gold one—I applied to Mr. Bird for watches, and had a note from the foreman—I did not get them with intent to pawn them, but I had them a few days, and was in want of money, I pawned one, but that not being enough I pawned the other."

GUILTY. Aged 33.—*Recommended to mercy.*—Confined Six Months.

2339. JOHN HARTSHORNE was indicted for stealing, on the 5th of September, 1 bag, value 1*d.*, and 4 half-sovereigns, the property of William Havens, from his person; to which he pleaded

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Three Months.
(The prisoner received a good character.)

2340. JAMES BARNES was indicted for stealing, on the 28th of August, 2 saddles, value 8*l.*, and 3 bridles, value 3*l.*; the goods of Joshua Walker.

JOSHUA WALKER. I keep a livery-stable in Princes-mews, Hanover-square. The prisoner was a helper there, and was discharged on the 28th of August—I have lost two saddles and three bridles—I had taken this riddle off a mare at eleven o'clock the evening before.

THOMAS STEWART ROGERS (*police-sergeant C 5.*) I went with the prosecutor, and found the prisoner in a public-house in Oxford-street—I took him to the station-house, and found this bridle in his hat, on the morning after the robbery.

Prisoner's Defence. I had the bridle given to me.

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Six Months.

2341. JOHN EAGER was indicted for stealing, on the 9th of September, 1 handkerchief, value 2*s.*, the goods of Thomas Peters, from his person, and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 14.—Transported for Ten Years.—Convict Ship.

2342. RICHARD HORNBLow was indicted for stealing, on the

30th of August, 1 shawl, value 30s., and 5 sovereigns; the property of Jane Hornblow; to which he pleaded

GUILTY. Aged 17.—Confined Four Months.

2343. MARIA WELCH was indicted for stealing, on the 2nd of September, 3 half-crowns, 1 shilling, 1 sixpence, 3 pence, and 3 half-pence; the monies of Frederick Smith, from his person; to which she pleaded

GUILTY. Aged 18.—Confined Four Months.

2344. GEORGE BEAGLE was indicted for stealing, on the 14th of September, 1 saw, value 4s., the goods of Jacob Norden, his master; to which he pleaded

GUILTY.—Confined Five Days.

2345. JANE WILLIAMS was indicted for stealing, on the 16th of September, 2 hearth rugs, value 12s., the goods of Stephen Noden, her master; to which she pleaded

GUILTY.—Confined Four Months.

2346. ELIZABETH MARTIN was indicted for stealing, on the 11th of September, 1 shawl, value 5s., the goods of Mary Twyford.

MARY TWYFORD. I am single, and live in Silver-street, Liason Grove. I was at the street-door about one o'clock on the 11th of September—the prisoner came up and spoke to Ann Pickering, and asked to go backwards—I saw her come out and go away—I afterwards missed my shawl off a chair down stairs—it was brought back to me in half-an-hour.

ELIZABETH SMITH. I am a widow. I saw the prisoner come out of the house—Twyford then missed her shawl—she asked me and Pickering to go to the pawn-shops to stop it—we then saw the prisoner coming out of a public-house with the shawl under her gown and her hands before her, as if she was in the family-way—I went to her and took up her gown, and found the shawl tied in one knot, with the two ends in front of her—I gave her in charge.

HANNAH PICKERING. The prisoner came to me and asked leave to go backwards—I saw her come out—Smith and I saw her coming out of the Castle public-house—she looked very big, and I took the shawl from her.

FREDERICK BANNISTER (*police-constable T 85.*) I received this shawl from Smith; both she and Pickering said they took it from the prisoner, who said she never saw it nor any of them, till the shawl was given to me.

Prisoner's Defence. I never saw the shawl nor the woman till the shawl was in the policeman's hands—I was going to receive some bills—a tall woman, who is not here, came and insulted me, and said I had been talking to a man she lived with.

MARY TWYFORD *re-examined.* I am an unfortunate girl. I never heard of any squabble with any women and the prisoner, or of her having a man belonging to any of us, nor of her having any thing to do with a tall girl—I have seen the prisoner coming to the house where I live to see an unfortunate woman up stairs.

Prisoner. I did not—they came and molested me, called me all sorts of foul names, and said they would beat it out of me.

NOT GUILTY.

2347. MICHAEL CARTER was indicted for stealing, on the 10th of

September, 7 spoons, value 3s. ; 9 knives, value 6d. ; 2 forks, value 6d. ; 1 plate, value 1s. ; 1 pail, value 1s. ; and 2 baskets, value 4d. ; the goods of Robert Dallinger Markham.

ROBERT DALLINGER MARKHAM. I keep a school at Bridport Hall, Edmonton. From information I received, I went to the prisoner's lodging, in a cottage which joins my grounds—I found in his bed chamber some spoons and knives and forks, which we had missed a little time before—the prisoner never was in my service in any way—some other articles were found there belonging to my pupils.

JAMES M'GOUGH (*police-constable N 37.*) I went to the prisoner's house and apprehended him—I saw these articles found by the acting sergeant.

JOHN WILLIAM BOYD (*police-sergeant N 351.*) I searched the premises, and found the property—these are the spoons—one is silver, and these others are metal.

Prisoner's Defence. I was working for Mr. Booth Smith—I found these things wrapped up in two handkerchiefs in a field next to the prosecutor's play-ground—I told my wife if she found any owner for them to give them to them—they remained in my house from about June.

GUILTY. Aged 38.—Confined Four Months.

2348. CHARLES SOMERS was indicted for stealing, on the 12th of September, 3 loaves of bread, value 5d., the goods of William Tilke ; to which he pleaded

GUILTY. Aged 38.—Confined One Month.

2349. WILLIAM HUMBLER was indicted for stealing, on the 6th of September, 11½lbs. weight of whalebone, value 1l. 3s., the goods of Samuel Elmsley, his master ; to which he pleaded

GUILTY. Aged 30.—Confined Nine Months.

2350. JAMES HILLS was indicted for stealing, on the 8th of September, 1 plane, value 4s. 6d., the goods of James Taylor ; to which he pleaded

GUILTY.—Confined One Year.

2351. PATRICK BRADY was indicted for stealing, on the 11th of September, 4 skins of leather, value 1l. 4s., the goods of William Draper and another.

EDMUND DRAPER. I am in the service of William and Thomas Draper, in Holborn. The prisoner came to the shop on the 11th of September—I observed him going out—he was stopped, and these four skins of morocco were found on him—they are goat skins, and are my master's—I never lost sight of the prisoner till he was taken.

THOMAS VARDY (*police-constable E 138.*) I took the prisoner, and have the skins.

Prisoner's Defence. As I was coming past Day and Martin's a boy dropped them ; I saw him running on ; two grooms had hold of him ; he said, " For God's sake, let me go ;" they let him go ; Vardy came up and took me.

GUILTY. Aged 17.—Confined Four Months.

Sixth Jury, before Mr. Sergeant Arabin.

2352. JOHN SHAIL was indicted for stealing, on the 9th of Sep-

tember, 1 shawl, value 18s. ; 1 pair of stockings, value 1s. ; and 1 basket, value 1s. ; the goods of John Tilley.

ANN TILLEY. I am the wife of John Tilley, and lodge in the same house with the prisoner. I and his mother slept in the same room, and he on the floor—on the 9th of September this property was safe when I went to bed—the prisoner and the property were gone in the morning when I got up—he was afterwards taken—the basket has not been found—it was a little white market-basket—this is my shawl, and the one I lost—these stockings are mine also.

ELIZABETH MARCHANT. I live in the same house with the prosecutrix. On the 9th of September I saw the prisoner going out of the house about ten minutes after six o'clock, carrying a white basket.

CHARLES WILLIAM SNELLING. I am a pawnbroker. This shawl was pawned by the prisoner.

JONATHAN WHICKER (*police-sergeant E 47.*) I took the prisoner, and found the stockings on his feet.

GUILTY. Aged 17.—Confined Three Months.

2353. GEORGE CROFT was indicted for stealing, on the 10th of September, 1½ bushel of wheat in the chaff, value 10s. ; and 6 sacks, value 4s. ; the goods of Richard Booth Smith, his master ; and that he had been before convicted of felony.

RICHARD BOOTH SMITH. I live at Huxter Farm, Edmonton. The prisoner was my labourer for about half a year, but I have known him a number of years—I received information from the police-sergeant, on the 10th of September, that he had found a quantity of wheat and a sack of mine in the prisoner's lodgings—I could not miss the wheat out of the bulk—the prisoner had been threshing wheat, and I believe the wheat found to be mine—these sacks are mine—he had no right to have possession of them—my wheat had been in an old barn at a distance—the prisoner and another were threshing there.

JAMES HARRISON (*police-sergeant N 32.*) I went from information to the prisoner's lodging—I found this sack there, with about a bushel and a half of wheat in the chaff in it—the other officer found these other sacks there.

JOHN WILLIAM BOYD (*police-constable N 351.*) I found these other sacks in the prisoner's lodging.

MR. SMITH *re-examined.* These sacks are all mine—I never allow my men to take sacks home, unless they ask for a bushel of wheat or some potatoes, and then they may take a sack if they return it the next morning—I never allow my men to sell oat chaff.

Prisoner's Defence. I know nothing about the wheat ; there was another man threshing there, and he could not say that I took the wheat out of the barn.

JAMES FIELD. I am a shoemaker. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY. Aged 22.—Transported for Seven Years.

2354. JOSEPH TOOL was indicted for embezzlement ; to which he pleaded

GUILTY. Aged 26.—Confined Six Months.

2355. SUSAN DOUGLAS was indicted for feloniously receiving, &c

the 16th of September, of an evil-disposed person, 1 whip, value 1*l.* 5*s.*, the goods of Charles Griffiths and another, well knowing it to have been stolen ; against the Statute, &c.

HENRY SWAIN. I am in the employ of Mr. Charles Griffith and his partner, whip-makers, in Holborn. I missed a whip yesterday, about five minutes to one o'clock in the afternoon—it was worth 2*s.*—I missed it from the right-hand counter—I had seen it safe one minute before I lost it—it was stolen by a youth about sixteen years old—there had been no one there but him, and immediately he went out I missed it—that boy has not been found—I went to various pawnbrokers to see if it had been offered—I went to Mr. Wells, and the shopman was in the act of taking in the whip of the prisoner—that was about an hour and a half after I lost it—I said to the prisoner, “How do you come by this?”—she said she bought it in the morning, of a tall young man, in Monmouth-street ; that he had asked 7*s.* for it, and told her it was worth 10*s.* ; that she gave him 7*s.* for it ; but that could not be true, as it was then safe in our shop—I have reason to believe, from what I have heard since, that the boy is the prisoner's son—while we were walking from Mr. Wells's shop to my employer's, the prisoner tore up some duplicates, and threw them into the mud—I met an officer, and gave her in charge—I told him he ought to take care of the duplicates—he took the pieces up, but he gave them to her again.

Prisoner. When you came to the pawnbroker's the young man asked if you could swear to the whip ; you said no, but there was a person who could tell it, if I would go to your employer's shop, and said, “Have you any objection to go?”—I said, “No, I bought it of a tall young man, quite a stripling,” and then you took me to the station-house—I told you it was twenty minutes past one o'clock when I bought it. **Witness.** No, you said it was of a tall young man, in the morning.

JOHN ROBERT DAVIS. About half-past two o'clock, yesterday, the prisoner came into Mr. Wells's shop, and offered this whip for pledge—while we were looking at it the witness came in and took it—he asked the prisoner how she came by it—she said she bought it of a tall young man, in the morning, in Monmouth-street—he asked if she had any objection to go with him—she said, “No.”

JURY. Q. What did she ask for it ? **A.** She did not ask any thing on it—it was just taken up as the witness came in and took it.

Prisoner's Defence. If I have done wrong I am very sorry ; what I have stated is correct ; I have nine children, and they keep me at home to do for them.

GUILTY. Aged 46.—Confined Three Months.

2356. MARY WRIGHT was indicted for stealing, on the 8th of July, 1 watch, value 5*l.* ; 1 watch-ribbon, value 3*d.* ; 1 watch-key, value 3*s.* ; and 1 sovereign, 10*s.* ; the property of James Hopper : and **JANE CHAPMAN**, for feloniously receiving 1 watch, 1 key, and 1 ribbon, part and parcel of the same, well knowing them to have been stolen ; against the Statute, &c.

JAMES HOPPER. I am a mariner, and belong to the *Leeds*. On the 8th of July I fell in with the prisoner Wright in the evening—I got into discourse with her, and went home with her to a place which, I believe, is called Pope's-alley—it was a small house, close by the Lebeck's Head public-

(*Order read.*)—"Messrs. Marley and Co. April 6, 1840. Please to send by the boy half a dozen footings, the same as you sent on Saturday. For J. Peyton, 2, Upper King-street, Bloomsbury.

"To Messrs. Marley and Co., Dean-street, Soho."

THOMAS BROWN. I live with my parents. I took this order to Mr. Clark's—the prisoner told me to take it—I had known him before—he told me to go and get the things, and what I got I was to bring back to him—I got some leather at the shop, and gave it to the prisoner—he gave me 6d.

Prisoner. I never saw that boy before—where was it I gave it you?
Witness. In Monmouth-street—you sold them in Connell's shop, I believe.

JOSEPH PEYTON. The prisoner is a cousin of mine, but I have very little knowledge of him—he might know that I dealt with Mr. Clark—I did not authorise him to go to him for goods—this order is not my writing, nor is this name my writing—it is not a genuine order.

WALTER DALGLEISH. I am an officer. I took the prisoner.

Prisoner's Defence. I did not write this order—I know nothing of it.

GUILTY of Uttering. Aged 24.—Transported for Seven Years.

OLD COURT.—*Friday, September 18th, 1840.*

Third Jury, before Mr. Sergeant Arabin.

2361. THOMAS FREDERICK GUNN was indicted for stealing, on the 16th of September, 26 spoons, value 6l. 10s.; 2 pairs of sugar-tongs, value 10s.; 2 bags, value 2d.; 2 shillings, 4 crowns, 7 half-crowns, and 4 shillings; the property of Ann Robinson, in her dwelling-house; to which he pleaded

GUILTY.—Confined Nine Months.

(The prisoner received a good character, and was recommended to mercy by the prosecutrix.)

2362. THOMAS RAYMENT and ROBERT PHILLIPS were indicted for breaking and entering the dwelling-house of George Garner on the 13th of September, at St. Leonard, Shoreditch, and stealing there—2 coats, value 17s.; 1 scarf, value 2s.; 12 watch-keys, value 1s.; 2 seals, value 12s.; 2 shirts, value 4s.; 2 pillow-cases, value 1s.; 1 petticoat, value 1s.; 1 parasol, value 6s.; 1 umbrella, value 1s.; 8 cruets, value 4s.; 1 pair of spectacles, value 1l.; 2 images, value 1s.; 18 necklaces, value 6s.; 15 rings, value 12s.; 3 breast-pins, value 5s.; 7 pairs of earrings, value 14s.; 8 brooches, value 11s.; 3 split-rings, value 3s.; 4 studs, value 1s.; 1 veil, value 2s.; 1 snuff-box, value 5s.; and 1 pair salt-holders, value 4s., his property.

WILLIAM CLAY. I am a policeman. On the 14th of September, I met the prisoners in Whitechapel-road, about eight o'clock in the evening—I was in pursuit of them for another robbery—I stopped Phillips and commenced searching him—there was another man with them, who ran away—I found a waistcoat in Phillips's coat-pocket, and a gold ring in his trousers pocket, and at the station-house I found four other rings and a pair of ear-rings in his trousers' pocket—he said he had bought them that they were no good, he could not tell the move.

JOHN GOZEE. I am a policeman. I was in company with Clay—I searched Rayment in the station-house, and found on him three finger-rings, two pairs of ear-rings, a knife, a blue necklace, three tops of

ings, and a duplicate—I asked him where he got the jewellery from—he told me he had been down the lane, and had given 15*d.* for it—I suppose he meant Petticoat-lane—after I had searched him, I saw a ring on his finger—I discovered this robbery the next day, and showed the prosecutor the articles.

GEORGE GARNER. I live in Goldsmith Terrace, Hackney-road, in the parish of St. Leonard, Shoreditch. I went out at seven o'clock on Sunday evening, the 13th of September—I left the house all fastened up, and but the door after me—I left no one there—I returned at a quarter-past ten o'clock—I found the front-door as I had left it—the back-door was unbolted and open—I had left it bolted—it must have been unbolted from the inside—I suppose they got in at the front-door by a false key, as the house was not damaged—I had my key in my pocket—these articles are my property, and are worth 6*l.* altogether—as I went out that evening, I observed two persons loitering about the door—I believe them to be the prisoners by their dresses and appearance—they were just coming up to my door as though they were about knocking—I am in the habit of going out on Sunday evenings about that time.

Rayment's Defence. I was going down Petticoat-lane between twelve and one o'clock last Monday, and met a man with a parcel—he said he had several articles to sell—I picked these things out and gave him 2*s.* for the lot—this young man was with me at the time, and he picked some out of what I had bought, and gave me 9*d.* for them.

Phillips's Defence. I met Rayment; he went up to the man who said he had some things to sell cheap, and bought some of him. I bought the rings and things of him for 9*d.*

RAYMENT*—GUILTY. Aged 21. }
PHILLIPS*—GUILTY. Aged 18. } Transported for Fifteen Years.

Before Mr. Recorder.

2363. JOHN WHITE was indicted for burglariously breaking and entering the dwelling-house of William Thomas Larkcombe, about the hour three in the night of the 16th of September, with intent to steal, and caling therein, 3 shells, value 2*d.*; 2 pot-stands, value 6*d.*; his property: wine-glass, value 2*s.*; 2 glass tumblers, value 4*d.*; 1 shawl, value 6*s.*; gown, value 6*d.*; 1 jacket, value 6*d.*; 1 pepper-box, value 4*d.*; 2 broons, value 8*s.*; 1 veil, value 2*d.*; 1 collar, value 7*d.*; 1 cap-border, value 1*s.*; 1 towel, value 3*d.*; 1 shell, value 1*d.*; and 2 ornaments, value 1*l.*; the goods of Catherine Bryant.

MARY ANN LARKCOMBE. I am the wife of William Thomas Larkcombe, and live in Sun-court, King David-lane, Shadwell. Early in the morning of the 17th of September I heard a person walking about over the road—I think it was about three o'clock—I afterwards heard steps come down stairs and go up again—Catherine Bryant lodges up stairs—I went out at half-past five, naked, and saw a man at the top of the stairs—I called my husband for my petticoat, and the moment he saw me he threw himself on his stomach at the foot of the bed—I missed every thing off the shelf, and said to the man, “You are not tipsy, tell me what you have done with the things”—it was the prisoner—he would not answer—I found these two t-trays in his bosom, and these two ornaments in his trowsers' pocket—I awoke Bryant, and she missed her things—I said, “You had better tell a policeman”—he still said nothing, but when the policeman was gone

for, he said, "Let me go"—I said, "No, I will not"—he said, "For God's sake, let me go"—I said, "No"—he said, "Let me go to get a drink of water"—I said, "No"—the policeman then came, and he put his head down on the bed, and pretended to be just as stupid and sleepy as ever.

Prisoner. A woman took me to the house—I was tipsy, and took the things off the mantel-piece, but did not know what I was about—I did not mean to keep them. *Witness.* I did not sleep in that room, I was in bed with my husband—I at first heard a snoring, which I thought was Catherine—I then heard a man walking about, and went up and found him—my husband rents the house—when I went to bed Bryant was out, and I left the string of the street door out, and that is, I suppose, how he got in.

CATHERINE BRYANT. I am an unfortunate woman. I went out on this morning, and saw the prisoner on the step of a door in the street—I returned in about a quarter of an hour—he was then on the opposite side, trying the door and shutters of another house—I shut the door of our house when I went in, but forgot to take the string in, by which it could be opened from without—the door was latched, but by pulling the string the latch would come back—I went up to my room—there was a young man there—I was afterwards awoke by the landlady, and found the prisoner in the room, and saw a shell in his hat—I fetched a policeman, and missed these things—I asked the prisoner where they were—he would not tell me—I found a bundle under the bed tied up, ready to be taken away, with the articles missing in it—he pretended to be asleep, and tipsy.

Prisoner. She is the person I went home with. *Witness.* He did not—I never saw him till I saw him in the street.

WILLIAM ATFIELD. I am a policeman. Bryant called me to the house—I found the prisoner in the room up stairs—he appeared intoxicated—I saw the shawl taken from his hat, and a bundle under the bed—the women charged him with having tied the bundle up, to take things away—he pretended not to understand any thing—the bundle contained the articles stated—I believe it is a house of ill fame—my opinion is, that the prisoner was drunk—the sergeant considered so at the station-house, for he could not tell his name—I found no money on him.

Prisoner. I had 3s. 6d. in my pocket—when I came down I asked for my money, and they said they had not taken it. **NOT GUILTY.**

2364. BENJAMIN THOMAS PHILLIPS was indicted for stealing on the 29th of August, at St. Andrew, Holborn, in the dwelling-house of Samuel Mills, 1 watch, value 10*l.*; 2 neck-chains, value 3*l.*; 3 necklaces, value 1*l.* 16*s.*; 7 pairs of ear-rings, value 3*l.*; 4 brooches, value 1*l.*; 10 rings, value 5*l.*; 3 snaps, value 1*l.*; 7 shawls, value 2*l.*; 10 handkerchiefs, value 14*s.*; 5 scarfs, value 3*l.*; 2 pairs of stays, value 1*s.*; 3 yards of lace, value 1*l.*; 5 pairs of stockings, value 5*s.*; 1 inkstand, value 10*l.*; 2 ink-glasses and tops, value 1*l.*; 1 eye-glass, value 10*s.*; 1 cross, value 3*s.*; 1 miniature, value 1*s.*; 1 spoon, value 2*s.*; 2 forks, value 2*s.*; 3 gowns, value 12*s.*; 3 bed-gowns, value 5*s.*; 2 boxes, value 3*s.*; 1 breast-pin, value 3*l.*; 1 veil, value 15*s.*; 3 yards of fringe, value 2*s.*; 1 trunk, value 10*s.*; 2 music-books, value 5*s.*; 1 table-cloth, value 4*s.*; and 2 salt-holders, value 9*s.*; the goods of Francisco de Pina de Méndez and JANE ROBERTS, for feloniously receiving the same, well known to be stolen; against the Statute, &c.

MR. PRENDERGAST conducted the Prosecution.

MARGARETTA DE PINA DE MELO. I am the wife of Francisco de Pina de Melo. I have lived at Portsmouth, but not for some years—I boarded at Mr. Mills's, No. 67, Hatton-garden, for a month—I afterwards went to live in Hatfield-street, Blackfriars-road—I was going to the house of Dr. Rigby, in Spring-gardens, on a Saturday, I think it was the 29th of August—I was standing at the end of Stamford-street—my niece stopped me, on account of a horse, from crossing, but a person came to me and forcibly led me across the way—I have lost my sight—he then kept my arm, and said he was going my way and would direct me—I had not told him I was going to Dr. Rigby's—I asked who and what he was, whether he was a policeman, I wished to know who was assisting me—he said he had lost one eye, that he had been blind, and felt so much afflicted at seeing a person in the same situation, that he had offered to assist me—my niece is only thirteen years old, and was afraid to say any thing—I asked him how he got his living—he said he worked at the Bolt-in-Tun inn, at the Portsmouth coach—I said, "Oh, we are going down by that coach"—he said he was the Portsmouth coachman—I said I had a trunk at Hatton-garden—he said he should drive the coach, and should think it no trouble to take my luggage, whatever it was—I said it was very little, that it was at my landlady's, in Hatfield-street—he inquired the nature of it—I asked if he was a porter, and if he had a ticket—he said, at his house they did not wear tickets—I said my trunk was at the house in Hatton-garden—he asked if I would allow him to fetch the luggage from Hatton-garden, as it would be more convenient to have it together, and convey it to Hatfield-street, but I declined allowing him—I had said that my niece was very small, and I wished them to take her at half price—he said he could arrange that, for, if he was not the proprietor, he was connected with the coach—he went as far as Dr. Rigby's with me, and said, if I would allow him, he would see us back again, but my niece said he was dirtily dressed, on my asking her, and I asked Dr. Rigby's servant to send him away when he came to fetch us—when I got to Hatfield-street I told my landlady what had occurred, and not to let him see me—he came there, and she sent him away—he came a second time, wishing to see me—I heard him tell the landlady he wished to see me, as he had brought a receipt for the payment of the fare—it was the same voice—I did not exactly hear what he said, I paid very little attention to what he said—he pressed for the whole fare—I said I had a friend opposite the Bolt-in-Tun, and he would arrange about the fare—he asked me repeatedly on the road before, to give him the money, and at the house he said he could not book the places without the fare—I knew by his voice he was the same person who spoke to me the morning—he asked the landlady to sign some paper to say he had seen, and asked how to spell my name, as he should look foolish in booking the places without knowing that—she gave him a pen and ink, but she told him we did not wish him to book the places, and he went away—he asked the landlady to write something, and she did write something, understand, and she read it afterwards—it stated that we did not know what day we should go, but it might be Sunday—I have only been a short time from abroad.

DE MELO. I am thirteen years old. I was with my aunt in Stamford-street on Saturday, the 29th of August—the prisoner, Phillips, offered to assist her over the way—I am sure he is the man—he walked

with us to Dr. Rigby's, and had conversation with her—he said he had been blind himself, and belonged to the Bolt-in-Tun—he said he belonged to the Portsmouth coach, and my aunt said she was going down to Portsmouth—when we went in to Dr. Rigby's we left him, and after we returned to Hatfield-street, in the afternoon, he came to the house—Mrs. Rudge was there.

PHÆBE RUDGE. I live in Hatfield-street. Mrs. de Melo lodged at my house—the prisoner Phillips came there on Saturday, the 29th of August—I saw him between twelve and one o'clock the first time—Mrs. de Melo had been out and was come home—he asked me if there was a blind lady lodging at my house, I said, “Yes”—he asked if she was come home, I said, “No,” by the lady's wish, as she wished me to hear what he had to say—he said he had been to Dr. Rigby's with her, and had been round to his employer at the Bolt-in-Tun, to endeavour to get the little girl's fare at half-price—he produced a paper—I wished him to leave it—he said he must not leave it, for there was a receipt to it, and said, “Is the lady at home?”—I said, “No”—he said, did I think he should meet her if he tried to meet her—I said I could not say—he said, “Well, the best thing I can do, will be to go and get a pint of beer and smoke my pipe, and call again”—he left the house—he returned at half-past three o'clock, and said, “Is the lady come home?”—I said, “Yes”—he said, “Can I speak to her?”—I said, “I do not know; is that note for the lady?”—he said, “Yes”—I said, “Then give me the note, the lady cannot read it herself, I must read it for her”—he gave it to me, I read it—I do not exactly know what was in it, but it stated at the bottom, “Pay my man 12s. 6d., in part fare”—I read it to the lady, and returned it to him—he said, “Can I speak to the lady?”—I said, “Yes, you can speak to her, she is here at dinner”—I brought him to her—he said he had properly arranged that the little girl should go for half-price, that he belonged to the Bolt-in-Tun, and that was what they generally did for each other—he then pressed for 12s. 6d.—I said, “Really, ma'am, I should not pay it; you don't know the man, he does not look respectable; I would not trust him with 2d.;” and she did not pay him—I told him I knew that note was not written by a book-keeper, it was not like a gentleman's handwriting—he said, “I know that, it was my old governor that wrote it”—I said, “Who is your old governor?”—he said, “Why Henry Gray, does you see his name?”—he said, “Well, I must not go back; if you don't pay me, you must deliver up the paper;” and I gave it him back—he wished a note should be sent to the proprietor, saying that the lady would not go—I asked the lady, and I wrote to say it was quite uncertain what day she would go, and he went away—he had some conversation with the lady—he said, “If you will not trust me with the money, I will pay myself, for I will take great care she shall go”—he wanted pen or pencil that she might ask for him when she came to the Bolt-in-Tun—he said by asking for him he should get 2s. of the passage, and 1s. from the proprietor—I do not know whether the prosecutrix's name was written at the bottom—I cannot say her name was not put at the bottom of the note—he wrote nothing in my presence—I was not in the room all the time, but the prosecutrix's name was mentioned to him—I generally called her De Pina.

Cross-examined by MR. PAYNE. Q. Was she ever called De Melo? A. Certainly.

ELIZABETH WEBB MILLS. I live at No. 67, Hatton-garden, No.

de Melo had been staying at our house—on Saturday afternoon, the 29th of August, about half-past four o'clock, the prisoner Phillips came to our house, the servant saw him first—I took him up stairs into the room Mrs. de Melo had occupied, to bring her box down, as my sister said, in his presence, "This man has come for Mrs. de Pina's box; she is going to Portsmouth, either to-night or the following Monday; you know which one it is, will you give it to him?"—I showed him the box, which was a white hair trunk—this is it—(*produced*)—he asked for a small piece more cord, and corded it up—he said the box might break in the street, and he said, "It is not like you and I that can see, but she can't see, and she does not know what might become of her things"—he said he had got her carpet-bag and a little hamper at the booking-office—he said the hamper would hold about a dozen bottles of wine—he said Mrs. de Pina had been to his master's that morning, to ask if he could get a confidential person to carry her box, and he was picked out, as having been there fifteen years, and it was time he should be trusted—he said he was to take the things to the booking-office of the Bolt-in-Tun—he took the box away—I went to the bottom of Hatton-garden with him, as I was going to Mrs. de Melo—he told me my nearest way was to go up Farringdon-street, which was correct—he said she was in a hurry, and I was to bring her to the Bolt-in-Tun, as she did not like to trust the little girl—I went to be her guide there—he said he should take the box straight to the Bolt-in-Tun—he said she was going down by the mail, and would get there much sooner—I know the contents of the box, as I had helped her to pack them the day before.

MARY HUSSEY. I am servant to Mrs. Mills. On Saturday afternoon, the 29th of September, the male prisoner came to the house, and asked me if Mr. Mills was at home—I said he was not, but Mrs. Mills was, and asked if I could deliver any message to her—he said yes, he had come from over the water, from Mrs. Pina, and he spelt the name to me, Pina—he said he came for her trunk, and that Mrs. Pina had desired him to ask if Mrs. Mills would be so kind as to let one of her children go with him to go with her to the coach-office, as she was going to Portsmouth—he asked me if Mrs. Pina was not there yesterday, packing up her things, and I said, "Yes"—I saw him go up stairs for the box—he did not show me any paper.

WILLIAM NORTH. I am inspector of the police at Gravesend. On Tuesday morning, the 1st of September, I saw the two prisoners—I had received information, and seeing the male prisoner come out of the King's Head public-house, Gravesend, about eight o'clock in the morning, I told him I had received information of a gentleman losing his watch, and must take him into custody—I had heard of this robbery also—I sent him to the station-house by Taylor, the policeman—I then went to the King's Head, and waited there till the female prisoner came down stairs—I told her I had received information that a gentleman had lost his watch, and suspected she knew something about it—she said she knew nothing about it—I said nothing about this charge to her—I searched her, and found only 1d. in her pocket—I asked where her bundles were—she said she had left them with the person of the house—two bundles were brought to her—I said, "Are these your bundles?"—she said, "Yes"—I took possession of them—I opened them, and found these things, which have since been claimed as the rosecutrix's—I said, "You have had some very good things in your time"—she said, "Yes, I have"—I said, "How did you come by such things?"

she said she had bought them at different times—that was in reference to the jewellery—I took up the dial of a watch, and said, “Did you ever see the watch belonging to this?”—she said, “No, I never did, that belonged to my grandmother, and has been gone many years”—I took up some mourning ear-drops and rings—she said, “They are what I had for my poor mother when she died;” here is more than one suit of mourning jewellery—I said, “Here is a mourning ring, what is there on it?”—she said she had forgotten—there is an inscription on it, “Elizabeth Taylor”—I took her in charge, and ordered her to be locked up—I then called the male prisoner into the station-house, and asked him his name, and where he came from—he said he came from Westminster—I forget the name he gave—it was not his right name—I said, “What are you?”—he said he worked at a wine-merchant’s—I asked his master’s name—he did not choose to say—I said, “Where does he live?”—he said, “I might as well tell you his name as where he lives”—I said, “Where is the woman that was with you yesterday?”—he said he had left her in bed at the King’s Head—I said, “Is she your wife?”—he said, “Yes, I have been married to her these four years”—I heard his brother and father say, in his presence, that they were not married, and the female prisoner said she was not married. The female prisoner said that evening that there were handbills out about the trunk that was lost in London, that while she was in at a pawnbroker’s to pledge a scarf, she saw the policeman come in with a handbill, and she saw it was about a trunk—that she went back to the male prisoner, and told him of it, and they directly left and went to Greenwich, and then on board a Gravesend steam-packet to Gravesend—I went to the west end to see if I could get a hand-bill, which I did, and gave information at No. 67, Hatton-garden, and on returning home the female wished to say something to me—she said, “It is no use, I may as well tell the truth”—I said, “I don’t wish to hear any thing”—she said, “I had rather tell you”—I said, “I will give you pen and paper, and you can write what you like”—I went to her in about an hour—she said she had written a line or two, but was so agitated she could not write more, but would tell me the pawnbrokers’ where the property was—she named several at Greenwich, Pimlico, Tothill-street, and various places—I went to the pawnbrokers’, and found the property, as she said—she said the trunk was brought home by Phillips on the Saturday night, and was in his room, at No. 20, Ann-street, Westminster—I went there, and found this trunk in the room, under the bed—these papers were in it—she mentioned pawning three gowns at Jones’s, near the Queen’s palace, Pimlico; and at Denman’s a coral necklace and scarf; and about four doors from there, a silver ink-stand, two forks, and a table-spoon—she said they had destroyed all the duplicates, and could not give a better account of the pawnbrokers—opposite Astley’s theatre, she said, was a cloak, a shawl, and two large night-gowns, for 8s.; and near the College, at Greenwich, two silver salt-stands for 5s.—I found, on inquiry according to those directions, the things she had mentioned, except that Denman’s was Debenham’s—I had made her no promise or threat in the least—here are the few lines she wrote.

Cross-examined. Q. You could not make any thing out of this paper I suppose? A. No—I do not recollect how the conversation about the handbills began—I was about to state this to the Magistrate, but it was not followed up—I did not refuse to hear the conversation—the King’s Head public-house is in King-street, on the Dover-road—I asked her

question about the handbill—I do not believe I asked her any thing about it—I had not heard of the handbill before—I think it was her own statement—I cautioned her as to what she did say—it took place in the gaol—I believe nobody was present.

Prisoner. Q. Was the information correct concerning the robbery of the gentleman's watch? A. A watch was taken by the female prisoner to Gravesend—I found nothing on either of you relating to that.

EDWARD TAYLOR. I am a police-sergeant. I took charge of Phillips after North had apprehended him—I found in his hat a white handkerchief, a habit shirt, and black veil—he said they were his wife's, and he did not know any thing about them.

FREDERICK ANDERSON. I am a jeweller, and live in High-street, Gravesend. I saw the female prisoner at my shop on Monday evening, the 31st of August—she produced this watch, and left it to be repaired—it is a gold repeater, and has a gold chain—she said she should want it on the Saturday, and wished it to have a hand exactly similar to the hour-hand—I was to set it to rights, and to be particularly careful with it, as it was left her by her grandmother—after taking her address, she said she had been staying at Gravesend longer than she expected, and they had run short of money, would I lend her 2*l.* on the watch till Saturday, which I did—the gave her address, “Mrs. Roberts, 20, High-street”—I gave information to the Inspector on finding, half-an-hour afterwards, that 20, High-street, was the Kent Hotel—the watch and chain is worth about 10*l.*—I dare say it cost fifty guineas when new, but so many are imported, they are of less value—the chain is worth about 4*l.*—I include that in the 10*l.*—the watch would not fetch above five guineas—it is out of fashion, and a jeweller would not give more than 5*l.* for it—these diamonds in it are worth about 6*d.* each—perhaps it has been made twenty or thirty years—it is a repeater, but the value of a thing is what it will fetch—there are above a hundred diamonds.

HENRY AMBROSE. I am waiter at the King's Head public-house, Gravesend. The prisoners came there between seven and eight o'clock on Monday night, the 31st of August, in company, and slept together—I saw them soon after very tipsy.

SAMUEL SMITH. I am shopman to Mr. Debenham, a pawnbroker, in Queen's-row, Pimlico. I have a scarf and coral neaklace pawned by the female prisoner on Monday, the 31st of August, about ten o'clock in the morning—I asked whose they were—she said they were her own.

ROBERT GRAY. I am in the service of Mr. Priest, a pawnbroker, at Pimlico. I have a silver ink-stand, a dessert spoon, a dessert fork, and table fork, pawned by the female prisoner, on Saturday evening, the 29th of August—she had not pawned any thing with us before—there is a crest on the plate—I questioned her, and she said it was her property, that it was her crest, and she lived in Eaton-square—it is only part of an inkstand—the glasses are not there.

Cross-examined. Q. Are not the houses in Eaton-square very large? A. Yes, she was dressed like a lady—I have not been long in business—my employer was in the shop—he has been many years in business.

THOMAS MARSON. I am in the service of Mr. Delaney, a pawnbroker, in Church-street, Greenwich. I produce two silver frames, which may have belonged to an ink-stand, but I took them in as a pair of salts, which they very much resemble—they were pawned by the female prisoner on the 31st of August, for 5*s.*

WILLIAM BRYMER PYOTT. I am shopman to Mr. Richards, a pawnbroker, in Westminster-road. I produce two bed-gowns and a shawl, pawned by a female, I do not know who by, on the 29th of August.

PRYCE JONES BULLOCK. I am shopman to Mr. Jones, of Tothill-street. I have a table-cloth and bed-gown pawned on the 29th of August, by a man—I do not know him.

JOHN COTTON GRINDLEY. I am foreman to Messrs. Page and Kennedy, pawnbrokers, in Eaton-street. I produce three gowns pawned by a man, on the 29th of August, in the name of Ann Matthews.

THOMAS PARKER. I live at No. 18, St. Ann's-street, Westminster. The prisoners lodged in a room at a house belonging to me, at No. 20, St. Ann's-street—they took the room on the 13th of August.

MARGARET PARKER. I am the wife of the last witness. The two prisoners lodged at a house of ours, No. 20, St. Ann's-street. Last Thursday week North came to my house, and I saw him take possession of a white hair trunk—he took it from the back-room, which the prisoners used to live in—it was occupied by them exclusively.

Phillips. Had I entire possession of the room up to the time the officer took the box? *Witness.* Yes, nobody else had the key to my knowledge.

E. W. MILLS re-examined. I saw the things packed up in the box, and know all these articles—they belong to the prosecutrix—I know the silver ink-stand, and all the articles—I am certain of them.

Phillips's Defence. There is another party who ought to be here instead of me—he broke the box open and took the things out.

(Elizabeth Kirby, wife of a coachman; and Katherine Alder, wife of a stay-maker, No. 246, High Holborn, deposed to the prisoner Roberts's good character.)

PHILLIPS—GUILTY. Aged 23. { of Stealing, but not in the dwelling-house.—(Roberts was recommended to mercy.)
ROBERTS—GUILTY. Aged 24. {

Transported for Seven Years.

2365. JOHN WHITEFORD was indicted for a misdemeanor.

NOT GUILTY.

NEW COURT.—Friday, September 18th, 1840.

Sixth Jury, before Mr. Common Sergeant.

2366. JAMES TREPINE was indicted for a misdemeanor.

NOT GUILTY.

2367. RICHARD RONAYNE was indicted for a misdemeanor.

MR. ELLIS conducted the Prosecution.

RICHARD COLLIER (police-constable B 110.) On the 19th of August was in Broadway, Westminster, at four o'clock in the afternoon—I saw the prisoner, who I knew perfectly well—I took hold of him—he put his hand into his left-hand waistcoat-pocket, tore it out, and put it in his mouth—I had a good struggle, and at last succeeded in getting the pocket out of his mouth—Davis came up to assist—I found five bad pences in the pocket—after that I got another sixpence from Davis.

Prisoner. A young man was talking to me, why did you not take him?
Witness. I did not know him.

GEORGE DAVIS. I am a messenger of Queen-square Office. I was passing, and saw Collier struggling with the prisoner on the ground, with two or three hundred people round—I went to his assistance, and by nearly choking him, Collier took the pocket from his mouth—I assisted in searching him at the Police Court, and a counterfeit sixpence fell from his trowsers.

MR. JOHN FIELD. I am inspector of coin to the Mint. These are all counterfeit—three of them have been cast in one mould, and three in another.

Prisoner's Defence. A young man came up, and asked me to walk with him; I asked him where; he said he had six bad sixpences, which he asked me to pass; I said I would not, and asked him to *chuck* them away; I would have nothing to do with them. He asked me, as I was going over the bridge, to destroy them for him; I had scarcely put them in my pocket before the policeman caught me, and took no notice of the other man.

GUILTY.** Aged 20.—Confined Two Years.

2368. **JOHN KITTLE** and **FREDERICK PRESTON** were indicted for uttering counterfeit coin; to which

KITTLE pleaded **GUILTY.** Aged .—Confined Five Days.

PRESTON pleaded **GUILTY.** Aged 22.—Confined Six Months.

2369. **CHARLES WHITE** was indicted for a misdemeanor.

MR. ELLIS conducted the Prosecution.

JAMES WILLIAMS. I live with my son, who keeps a public-house in Rosemary-lane. On the 31st of August the prisoner came, at half-past seven o'clock in the evening, and called for a pint of porter—he put down a shilling—I took it up, and showed it to my daughter-in-law—she said, “Is it good?”—I said, “It will do,” and placed it on the edge of the till, so that it could not be mixed with any other money—my daughter gave him the change—as soon as he was gone, Hanstead, my bar-man, told me something; I looked at the shilling again, bit it, and ascertained it was bad—I went out, and caught the prisoner just going into another public-house, at the top of the lane—I turned him back—he tried to resist, and put his hand into his breeches-pocket—I seized that hand, and called the police—one of the police had just hold of him at the time—during the struggle two sixpences dropped from his hand—I saw them picked up—I gave the bad shilling to the sergeant.

Prisoner. I staid twenty minutes at your bar, and you drank out of the pint yourself. *Witness.* I drank, but you did not stop more than six or seven minutes.

JOHN HANSTEAD. I am the bar-man. I saw the prisoner served, and looked at the shilling directly he left—I had seen it put on the edge of the till—I noticed it was bad directly he gave it—Mr. Williams put it on the back shelf.

ROBERT TAYLOR (police-sergeant H 19.) Mr. Williams came to me—followed the prisoner—he was stopped, and resisted very much—he put his hand into his left-hand trowsers' pocket, and pulled out something—I seized his hand, and he dropped it—Inch came up, and I told him to pick up—I saw him pick up something, and he gave me these two sixpences.

ELIZABETH DURANT GREEN. I am the wife of Mr. Green. On the 5th of August the prisoner came to my shop and bought a small piece of meat, which came to 3d.—he gave me a sixpence—I gave him the change—I put the sixpence into the till—I had just cleared the till, and that was

the only money in it—he came again in a quarter of an hour, or twenty minutes, for half a pound of meat—he gave me half-a-crown—I gave him 2s., and he went away—I put the half crown into the till—there was no other money there but the sixpence—I gave the half-crown out to my servant, and she found it was bad—I gave it to the policeman—I have lost the sixpence.

SARAH GATRILL. I am servant to Elizabeth Green, she gave me half-a-crown, I bit it, found it was bad, and gave her back the same.

WILLIAM BROWNING (*police-constable H 190.*) I received the half-crown, and gave it to Walton.

JAMES WALTON (*police-sergeant H 3.*) This is the half-crown which I got from Browning.

MR. JOHN FIELD. These are both counterfeit.

GUILTY. Aged 49.—Confined One Year.

2370. GEORGE ROBERTSON was indicted for uttering counterfeit coin; to which he pleaded

GUILTY. Aged 36.—Confined Two Years.

2371. JOHN RICHARDS was indicted for stealing, on the 10th of September, 1 purse, value 6d.; 8 sovereigns, 1 half-sovereign, 3 shillings, and 1 sixpence, the property of Manoel Joaquin Carniero da Cunha, from his person.—2nd COUNT, stating it to be from a man unknown.

JAMES CRESWICK. I live in New Compton-street, Soho. On the 10th of September, I was going from Compton-street to the Kent-road—passing down Macclesfield-street I saw the prisoner with two others in Gerrard-street, Soho—the other two have been tried—I am positive the prisoner is the man who was with them—it was between two and three o'clock—I was alone—they appeared in conversation, and having seen this prisoner and one of the others before in the neighbourhood, I looked at them, and I saw just before them the prosecutor and another gentleman walking arm-in-arm together—I saw one of the others put his hand into the prosecutor's pocket, and take out his purse—I saw the purse in his hand, and he put it into his own pocket—the prisoner was as close as possible to the prosecutor, on one side of him—he appeared to be covering the other—the prosecutor was pressed so closely on the side where his purse was not, that it caused him to look round on that side, while the other took his purse—the prisoner then walked about a dozen yards straight on past the prosecutor, he then turned round short, and walked back again towards Princes-street—I told the prosecutor he had lost his purse.

JURY. Q. Have you the slightest doubt of his person? A. Not the least—I had seen him in my neighbourhood very frequently—my object was to take the lad with the purse—I thought I could have the prisoner taken afterwards.

MANOEL JOAQUIN CARNIERO DA CUNHA (*by an interpreter.*) On the 10th of September I was in Gerrard-street, Soho, about two or three o'clock—I had my purse safe in my pocket from nine in the morning till that time—I then lost it—it contained eight sovereigns, one half-sovereign, and three shillings—it was taken from me—Mr. Creswick came to me—I did not notice any one.

GEORGE FREDERICK PASHELL. I am a captain in the army. I was in Gerrard-street, walking with the prosecutor—I noticed no one but ourselves—I had knocked at the door of a lodging-house, and at the moment

the prosecutor turned, and said, "I believe I have been robbed"—I said, "Feel"—he did so, and his purse was gone—Mr. Creswick came up, and pointed out a boy thirty or forty yards off—I ran and took him, and he gave the purse out of his pocket—there were a number of persons round.

JOHN WHALL (*police-sergeant C 16.*) I saw the prisoner in company with Hawkins on that afternoon between half-past three and a quarter before four o'clock—it wanted a quarter to four when I got to the station-house—I am confident the prisoner is the man, I have known him some time.

Cross-examined by MR. PHILLIPS. Q. Were you before the Magistrate in this case? A. Yes, and in the former case—I stated on both occasions that I saw the prisoner in company with Hawkins.

Prisoner's Defence. My uncle is partner with a person in Howland-street, Tottenham-court-road—his house is at No. 5, James-place, Hampstead-road. I was at his house from half-past one o'clock till half-past four last Thursday—I wanted to send there, but I could not write to my aunt to come—her name is Eliza Goodman.

(*Joseph Shackle, police-inspector, was sent by the Court, and returned with Eliza Goodman.*)

JOSEPH SHACKLE. I have been to No. 5, James-place, Hampstead-road, and have brought Mrs. Goodman—I went there as quickly as I could, but I am sure a person had been there before me.

COURT to ELIZA GOODMAN. Q. Did a girl come from this Court to you before the officer came? A. Yes, she did.

Prisoner. Q. What time was I at your place last Thursday afternoon? A. I did not look at the clock—I told the officer it was Wednesday, but I was wrong.

Prisoner. Q. Was I not at your place all the afternoon? A. You was there between three and four o'clock—I did not look at the time.

COURT. Q. Will you venture to swear to the day? A. I should not like to swear to the day, till I inquire of a washerwoman who was there.

Prisoner. Another aunt was there, whose husband is book-keeper at the Bull and Mouth, and her washerwoman can tell her the day I was here—I know nothing of this at all.

GUILTY.* Aged 21.—Transported for Ten Years.—(*See page 812.*)

2372. THOMAS CHUBB was indicted for assaulting Harriet Cooper, with intent, &c.; to which he pleaded

GUILTY of a common Assault. Aged .—To enter into recognizances for One Year.

2373. THOMAS CONNOR was indicted for assaulting William Hennessy.

GUILTY. Aged 26.—Confined Three Months.

2374. CHARLES LUNT was indicted for assaulting Mary Ann Goulden, a girl under 10 years of age, with intent, &c.—2nd Count, for a common Assault.

GUILTY on the 2nd Count. Aged 20.—Confined Three Months.

ESSEX CASES.

Before Mr. Justice Maule.

2375. WILLIAM BIGGS and DANIEL BIGGS were indicted for

stealing, on the 1st of September, 1 ewe, value 1*l.* 10*s.*, the property of George Johnson.—2nd COUNT, for killing the ewe, with intent to steal the carcase; to which WILLIAM BIGGS pleaded

GUILTY. Aged 50.—Confined Eighteen Months.

THOMAS FLETCHER. I am the shepherd of George Johnson, of Barking-side—he had two hundred sheep there—I saw them all right on the evening of the 1st of September, about six o'clock—I counted them next morning about eight, and missed one ewe—I searched for it, and found the skin in the lower part of the field, and the head attached to the skin, with the entrails, liver, lights, and feet close by it—I saw some mutton in the hands of the police next day—it was fitted to the skin, and I am sure it belonged to it, it fitted completely—I am certain it was the ewe I missed—there were no marks on it, but it was one which we had bred ourselves—it was two years old.

HENRY STAMMERS. I am a policeman. On Wednesday, the 2nd of September, I went to the house of William Biggs, who is the father of Daniel Biggs—he was not at home—I searched the premises, and found the mutton in a tub under the bed—there were no stairs to the house—it was the whole of the carcase of the sheep—there was a tub full—there might be some pieces missing—the shoulders and legs were cut as a butcher would do it, but the rest was in smaller pieces—I compared it with the skin produced by Fletcher, and it corresponded.

WILLIAM CLAPSON. I am a policeman. I was with last witness—a woman at the house was taken into custody—I searched the premises by myself next day, the 3rd of September, and found a brown sack—there were several large marks of blood, as if something bloody had recently been placed in it—some of it was not quite dry—the name of John Wilson, Barking, was on it.

SETH WRIGHT. On the 1st of September, about half-past nine o'clock in the evening, I saw the prisoners coming from their house down towards the top of the green, in a direction towards the prosecutor's field, not more than a mile from it—the father had a sack or bag under his arm—I knew them both.

Daniel Biggs. I think it was not quite so late as you say—I was going down towards my lodging. *Witness.* When they got to the top of the green I could not see which way they might turn—they might be going towards their lodging—the boy lives at Ilford, and not with his father—he might be going towards his own lodging.

Daniel Biggs. My father came to Ilford with me, and I left him there.

DANIEL BIGGS—NOT GUILTY.

Before Mr. Recorder.

2376. **THOMAS GRIFFITHS** and **WILLIAM EAST** were indicted for burglariously breaking and entering the dwelling-house of John Alphonso Doxat, on the 15th of September, at Low Layton, about the hour of three o'clock in the night, with intent to steal, and stealing therein, 1 sugar-sifter, value 10*s.*; 1 wine-strainer, value 1*l.*; 4 spoons, value 15*s.*; 2 pairs of boots, value 2*l.*; and 1 snuffer tray, value 1*l.*; his goods.

THOMAS GREEN. I am butler, in the service of John Alphonso Doxat, of Layton, in Essex, in the parish of Low Layton. On Monday the 16th of September I came down a little after six o'clock to open the house

—it might be ten minutes after, or it might be only six—I found the kitchen door unchained and unlocked, but not open—there was a bottle of orange wine on the mat close to the door—the store-room door was broken open—the lock had been burst—two holes were cut in the door at each bolt, top and bottom—by getting into the store-room they could get all over the house—I missed from the store-room a silver funnel, a snuffer-tray, tea-spoons from the kitchen, and two pairs of boots—about an hour after, the prisoners were brought to the house by the gardener—the constable came and took a silver spoon out of Griffiths's pocket, and a pair of boots were found on his feet, belonging to one of the young gentlemen—he said they were his own—I found an old pair of boots left in the hall which do not belong to the house.

Cross-examined by MR. PAYNE. Q. Are you quite sure the place was shut up the night before? A. Yes—I did it myself, between 11 and 12 o'clock—I fastened all the doors and windows—I was the last person up—there is no place called High Layton, but there is a Laytonstone—John Alphonso Doxat is the proprietor of the house—the boots belong to his son, who has the same name.

ELISHA NOYCE. I am gardener in the prosecutor's service. I was in a field adjoining the house soon after six o'clock in the morning of the 16th, and saw the prisoners get over the prosecutor's wall, leading from the dairy to the lawn, in a direction from the house—they ran across the lawn and over the walk—I ran across the field and headed them—they got over a fence—I turned them back, and they ran towards Temple Mills, and hid themselves in a hedge—I lost them—I went to the railroad, and gave information, and saw the railroad men tracing them—before I could get up they were secured—I took a clasp-knife from the hand of East.

Cross-examined by MR. PAYNE. Q. How far were you from them when they were getting over the wall? A. Three hundred yards then—I got within one hundred yards—I lost sight of them, and when I saw them again, they were about five hundred yards off—there were bushes about, but not trees.

GEORGE PEARCE BULL. I am the prosecutor's under-gardener. In consequence of what Green told me, I went after Noyce, and saw the prisoners about three-quarters of a mile from the house coming down a field from the railway—they passed me on the road—Griffiths had lime on his coat—I turned round and said, "You are the men I want"—they made a start, and got over the ditch—I attempted to get over the ditch—East put his hand in his pocket, and said, "You b——, if you come here I will stab you"—they crossed the marsh, and I after them—the railroad men took East, and I took Griffiths—before I got up to him he threw something away on his right hand, and something on the left into the river—a tea-spoon was picked up, and I afterwards went with the police-constable and found a gimlet exactly on the spot in the river where he threw something, and that exactly fitted the hole in the door—I saw the sifter found on him—I went to the river to a hay-stack, where I first accosted them, and there found a pair of boots.

THOMAS MEREDITH. I am a constable. The parish is called Low Layton. I found a silver sugar-sifter on Griffiths, and a pair of boots on his feet—he said the boots were his own—I found a silver wine-strainer in the ditch in the field, in the direction Bull said they had run, and in the same field I found these five keys—I found in the river this gimlet,

which exactly corresponds with the marks on the door—there were several holes bored—it would take some time to make the holes—I also found the cut of a knife on the door, and the knife found on East corresponded with it.

Cross-examined by MR. PHILLIPS. Q. Is there a parish called High Layton? A. I do not know.

JOHN AYRES. I am a policeman. I was called to the prosecutor's house—I found the handle of the sugar-strainer on the mat—I went round the walk, and found a bottle of ale or something.

GRIFFITHS—GUILTY. Aged 18. } Transported for Ten Years.
EAST—GUILTY. Aged 21. }

Before Mr. Sergeant Arabin.

2377. ROBERT CREASY was indicted for stealing, on the 10th of September, 1 bag, value 1d. ; 30 pence, 29 halfpence, and 9 farthings; the property of James Bird; to which he pleaded

GUILTY.* Aged 68.—Transported for Seven Years.

Before Mr. Common Sergeant.

2378. MARIA BUSH was indicted for stealing, on the 27th of August, 1 slide, value 3s. ; 1 pair of breeches, value 5s. ; 1 waistcoat, value 2s. ; 2 pairs of socks, value 1s. ; 1 teapot, value 1s. ; 5 napkins, value 1s. ; and 1 rug, value 1s. ; the goods of John Grimmer Lamb, her master; to which she pleaded

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Six Days.

KENT CASES.

Before Mr. Recorder.

2379. SAMUEL POLLARD was indicted for stealing, on the 20th of August, 2 coats, value 1l. ; and 1 handkerchief, value 6d. ; the goods of James Smith.

JAMES SMITH. I am waiter at the Crown and Sceptre tavern, Greenwich. I lost two coats from a room there, from behind the door, I left them there on the 20th of August, tied in a blue handkerchief—the prisoner was occasionally employed on the premises—(*produced*)—these are them and the handkerchief—they are worth 1l.

EDWARD CURTIS. I am shopman to Mr. Nash, a pawnbroker, of Loddon-street, Greenwich. On the 22nd of August, between one and two o'clock, the prisoner pawned these two coats, in the name of John Mills Bell-street—he said they were his brother's, and being both of one size I did not suspect he had stolen them—I lent him 3s. on them—they were not worth more.

JOHN BRAISTED WITSMORE (*police-constable R 68.*) I apprehended the prisoner on the 22nd—he was afterwards charged with this offence.

Prisoner's Defence. I was going to Deptford, and saw a man who pulled me aside, and asked me to go and pawn the two coats; I said I would: he said he would give me 6d. He told me to ask 4s. on one, and 5s. on the other. I went to the pawnbroker's, and told him they were my brother's. I went out, and asked the man if he would take what they offered; he said, "Yes." I gave him the money; he sent me to get two sixpences for a shilling, which I did, and he gave me 6d.

GUILTY.** Aged 18.—Transported for Seven Years.
(There was another indictment against the prisoner.)

2380. THOMAS WATSON was indicted for a misdemeanor.

NOT GUILTY.

Before Mr. Common Sergeant.

2381. CORNELIUS KNOX and CHARLES QUIN were indicted for stealing, on the 7th of September, 1 shawl, value 10s., the goods of Edward Mann.

ELIZABETH MANN. I am the wife of Edward Mann, a sailor, living in Henry-street, Woolwich. About eleven or twelve o'clock, in the morning of the 7th of September, I saw my shawl safe on a chair in the room—I missed it in five or ten minutes after—the prisoners, who are marines, were at my house that day—they were not there when I missed it, but they were there after I had seen it safe, I am sure of that—this is the shawl—(examining one)—there was another young woman with me—the prisoners came to see a young man who was there—I am an unfortunate woman—they had neither of them been sleeping there—I cannot say exactly at what time they came, I think about eight o'clock—they went away between eleven and twelve—they had been sitting with another young man belonging to their company—I swear that they were the only two men that were up stairs.

Knox. Q. What was the reason you did not prosecute Daniel Gray? A. He was down stairs, and you two had been up stairs where the shawl was—Gray was not up stairs after I saw the shawl safe—he was not in bed with me.

JURY. Q. Did the prisoners go away together? A. Knox went first, and Quin after him.

MARY ANN FARAN. I am the wife of Edward Faran, and live opposite the prosecutor's house. On the 7th of September I saw a soldier throw a shawl from the window, and another caught it—I should not know the men again—they were two artillery-men—I believe this to be the shawl—the man who caught it took a handkerchief from his bosom, wrapped the shawl up in it, and went away with it.

Knox. Q. Could you tell whether they were horse or foot artillery? A. I could not; I only speak to the shawl.

GEORGE JONES. I produce this shawl, which was pledged by the prisoner Knox, on the 7th of September, in the name of John Quin.

URIAH EDEN (police-constable R 81.) I took the prisoners on the 9th of September—Knox said it was done in a drunken spree.

KNOX—GUILTY. Aged 21.

QUIN—GUILTY. Aged 23.

} Transported for Seven Years.

2382. ABRAHAM TITMOUSE was indicted for stealing, on the 8th of September, 1 handkerchief, value 1s., the goods of Richard Waterhouse, from his person.

RICHARD WATERHOUSE. I am a servant, at Greenwich. I was at Eltham on the 8th of September—I received a tap on my shoulder from the officer about half-past four o'clock—he had my handkerchief in his hand—this is it—it has no mark on it—I had it safe ten minutes before—the prisoner was between me and the officer.

SAMUEL WRIGHT (police-constable P 172.) I was at Eltham races, and saw the prisoner attempt several gentlemen's pockets—I watched him, he went behind the prosecutor, took his handkerchief from his pocket, and put it into his right-hand pocket—I took it from him.

Prisoner. I stood on one side of the gentleman, and saw the handker-

chief lying on the ground, and you took it up. *Witness.* I am certain you took it out of the prosecutor's pocket and put it into your own.

GUILTY. Aged 16.—Confined Six Months.

2383. WILLIAM SHARP was indicted for stealing, on the 21st of August, 5 sovereigns, the monies of Joseph Brown.

JOSEPH BROWN. I am a smith, in the dock-yard at Woolwich. On the 21st of August I received my pay—I went to the public-house, and was the worse for drink—I was after that in the Globe public-house, and there I forgot myself—I had five sovereigns in my pocket when I went there—I lost them—I had some silver left, that was all—my money was safe when I came out of the Globe—I might have been somewhere else afterwards.

JOHN WHITER. I am a pensioner. I was at the Roebuck public-house—I did not see the prosecutor there—I saw five sovereigns on the table—I picked them up, and a man who sat opposite me said there had been some poor man there very much in liquor; he had been telling his money, and had gone away and left it—I laid them on the table, and the man called the prisoner, who was waiter, and said, "This poor man has left his money, take them to the bar"—the prisoner took them to the bar.

GEORGE SHERRINGTON (*police-constable R 167.*) I went with the prosecutor's wife to the Roebuck public-house—the prisoner was not at home. and Mrs. Brown told me to sit down and wait—I did so, and she said to the prisoner, "What have you done with that money you took off the tap-room table, belonging to my husband?"—he said, "I have not taken the money from the table"—I then came out of the parlour and said, "What have you done with that money?"—he said, "I have not taken it"—I said, "You have by all accounts"—he said, "Just come into the parlour and I will speak to you"—I went, and he said, "I have taken five sovereigns from the tap-room table; one I gave to Delaney, a stone-mason, not to mention the circumstance, the other four I have bought clothes with and paid some debts."

JAMES HARWOOD. I am the son of John Harwood, a clothier, in Church-street. On Saturday, the 22nd of August, I sold the prisoner a pair of trowsers, a shirt, a waistcoat, two pairs of stockings, and a handkerchief—he paid 1*l.* 8*s.* 3*d.* for them—he gave me two sovereigns.

CHARLES SILVERSTONE. On the 21st of August, I saw the prisoner take the sovereigns from the table—he said he would take them to the bar to be taken care of—Mrs. Birch keeps the house.

FRANCES COLLINS. I am servant at the Roebuck public-house. On the following day, the Saturday, I saw the prisoner go out without a bundle, about half-past seven o'clock, and return with one in a black handkerchief—I went up stairs and saw these new clothes on a table—I had seen a drunken man going out, and, by his clothes, I believe it to be the prosecutor.

Prisoner. She cannot swear to him only by the back of his coat.

GUILTY. Aged 18.—Confined Three Months.

2384. MARY ROBERTS was indicted for stealing, on the 7th of September, 2 sheets, value 2*s.*; 1 counterpane, value 5*s.*; and 1 blanket, value 2*s.*; the goods of Edward Lane; and that she had been before convicted of felony.

ANN LANE. I am the wife of Edward Lane, and live in Giffin-street, Deptford. The prisoner and a man took a lodging at my house—I went into the room on the 7th of September, and missed this property, which is mine—(*looking at it.*)

Prisoner. My husband was out of work; he let her have 3s. 6d. on the Monday, and said he should go as far as Birmingham, and he hoped she would not put us out for a fortnight or three weeks, and she said, "No." I was in distress, and was obliged to take these things; I told her where they were, and said the duplicates were in her cupboard.

BENJAMIN LOVELL. I am a police-sergeant. I produce the certificate of the prisoner's conviction, which I got at Mr. Clark's office—she is the person—(*read.*)

GUILTY. Aged 40.—Confined Nine Months.

Before Mr. Sergeant Arabin.

2385. **THOMAS HEARN** was indicted for stealing, on the 12th of September, 1 sheet, value 2s.; and one bed-winch, value 6d.; the goods of James Taylor, to which he pleaded

GUILTY. Aged 17.—Confined Three Months.

Before Mr. Common Sergeant.

2386. **FRANCIS GIBSON** was indicted for stealing, on the 14th of September, 1 bedstead, value 19s., the goods of William Toser; to which he pleaded

GUILTY.—Confined Three Months.

2387. **EDWARD MILLER** was indicted for stealing, on the 15th of September, 1 waistcoat, value 9s., the goods of Edward Carter.

FREDERICK POW. I am apprentice to Mr. Edward Carter of Bear-lane, Greenwich. On the 12th of September, between nine o'clock and half-past, I missed this waistcoat—this is it—(*looking at it.*)

Cross-examined by MR. BALLANTINE. Q. Did you see the prisoner at 1? A. I saw him that evening—I cannot say whether he was drunk—his manner did not appear extremely odd—I saw him at his own house

Cloth-buildings—I went there with the policeman—he had the waistcoat on.

JOHN BOOTH (*police-constable R 149.*) I received information, and went to the prisoner's lodging—I found the waistcoat on him—he said he bought it in Portsmouth twelve months ago.

Cross-examined. Q. What time was that? A. About half-past six o'clock—I should say he had been drinking—he was not so drunk but he was able to walk without assistance.

NOT GUILTY.

2388. **JAMES HUNT** was indicted for a misdemeanor.

MESSRS. BODKIN and ESPINASSE conducted the Prosecution.

FRANCIS GEORGE BARR. I am the son of Stewart Barr, a grocer at Colwich. On the 26th of August, the prisoner came between three and four o'clock for half-a-quarter loaf, and a quarter of cheese, which came 6½d.—he offered me a 5s. piece—I went to my mother for change—I took the crown on the butter-board—it was there when I came back, and my mother took it.

FRANCES BARR. I am the witness's mother. He applied to me for change—I went directly into the shop, and saw the boy give change—I took up the 5s. piece from the butter-board—I found it was bad—I

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marked it, and put it into my pocket, and next day gave it to the policeman—I kept it separate, and am quite sure it is the same.

Prisoner. Q. Did you give any body in charge for it? A. No—I saw a young man passing, who I said I thought was in company with you, but he was not.

JAMES MORRISON. I am shopman to Mr. Trill, a draper at Greenwich. On the 26th of August, about five o'clock in the afternoon, the prisoner came to the shop for half an ounce of black sewing silk—it came to 10d.—he laid down a 5s. piece—I looked at it—it was bad—I returned it to him—he left—he said he knew the parties he had it of, and he would return again.

WILLIAM FRANCIS MERRITT. I am a linen-draper at Greenwich. On Wednesday afternoon, the 26th of August, the prisoner came to look at some stockings hanging at the door—he bought a pair, they came to 6½d.—he tendered me a bad 5s. piece to pay for them, while I was rolling them up—I took it up, rung it on the counter, and knew it was bad, but did not let him see it—I said, “Have you got small change?”—he said he had not silver, but he thought he had halfpence enough, and he had but 4½d.—I then said, “You are aware this is a bad one?”—he said he was not, that he took it from a woman a little further down—I asked his name and where he came from—he said he came from over the water, first he said Westminster, and after that Knightsbridge—I came round the counter, sent for a policeman, and gave him into custody—I marked the crown-piece, and gave it to the officer.

JOSEPH HOLLOWAY (*police-constable R 197.*) I produce the 5s. piece I received from Mrs. Barr.

WILLIAM JACKSON (*police-constable R 210.*) I produce the 5s. piece I took from Mr. Merritt—I found 4½d. in copper on the prisoner, a tobacco-box and two tobacco-stoppers.

MR. JOHN FIELD. I am inspector of coin to the Mint. These are both counterfeit, and both cast in the same mould.

GUILTY. Aged 22.—Confined Six Months.

Before Mr. Recorder.

2388. THOMAS CONNER was indicted for stealing, on the 1st of November, 1 watch, value 2l. 10s.; 2 seals, value 16s.; 1 key, value 3s. and 1 chain, value 1s. 6d.; the goods of Thomas Weaver, from that person.

THOMAS WEAVER. I am a shoemaker, and live at Woolwich. On the 1st of November, 1838, I was at the Duke on Horseback public-house and got into a fight there, after which I missed my watch—I saw the prisoner drinking there before I missed it, but not after—a man named Fowler, was my second—I have got the watch—I paid the pawnbroker for it.

WILLIAM GREEN. I was a watchman at Woolwich in 1838—I got a seal and key from Sarah Butcher—I was called to the Duke on Horseback by the landlady, and saw the prisoner Fowler, a marine named Heath, and three other marines there, while the fight was going on, and saw Fowler and the prisoner leave Woolwich at two o'clock that morning.

SARAH BUTCHER. I am single, and live at Woolwich. This seal and key was given to me to pawn by Heath, a marine.

CHARLES STEWART WARDER. I am a constable. On the 2nd of November, 1838, in consequence of information, I found the prisoner at

house in Greenwich, with Fowler—I found on him a duplicate of a watch, in the name of Thomas Smith—they resisted, and the prisoner escaped—the duplicate has never been out of my possession—the watch is not here—the pawnbroker is absent who took it in—of my own knowledge, I do not know the duplicate has any relation to this watch.

NOT GUILTY.

SURREY CASES.

Before Mr. Recorder.

2389. SARAH SEALE was indicted for wilful and corrupt perjury.
NOT GUILTY.

2390. JANE M'CAREY was indicted for wilful perjury.
NOT GUILTY.

2391. CAROLINE DELANEY was indicted for wilful and corrupt perjury.
NOT GUILTY.

Before Mr. Sergeant Arabin.

2392. MARY LYNCH was indicted for stealing, on the 30th of August, 1 watch, value 3*l.* 10*s.* ; 1 watch-chain, value 1*l.* ; 2 seals, value 9*s.* ; and 1 watch-key, value 1*s.* ; the goods of Phillip Garrod, from his person: and RACHAEL JONES, for receiving the same, well knowing them to have been stolen ; against the Statute, &c.

PHILLIP GARROD. I am a sailor belonging to the *Gleaner*, of Yorkshire. On Sunday morning, the 31st of August, I arrived in town from Hull—I was in Tooley-street that night, and met Lynch—we got into conversation, and I went home with her to Brewer's, turning Vineyard—I am sure I had my watch when I went into the house—we had very little conversation—she asked me for money—I told her I had none—she asked me to leave my jacket—I said, “No, I will leave my watch in pawn,” but I did not give my watch to her—she afterwards left the room, and was absent about four minutes, and when she came up she asked me for my watch—I felt for it, and it was gone—I am sure I had it when I went to the house—an alarm was made, the landlady of the house came up, and a policeman was called in—they searched the room, but found no watch—they searched over the house and presently the prisoner Jones came into the room—I had not noticed her before—she was not near my person, but the watch was found in her bosom (*produced*)—this is it—nobody but Lynch had been near me.

Jones. I went into the room, he was there by himself, and gave me the watch to take down, to leave for the girl and himself. *Witness.* I never saw her—I had had a little drop of drink, but knew what I was doing.

JOHN SHANNON. I am a policeman. On the Sunday in question I was called in, and found the prosecutor and Lynch there—the whole of the house was searched, but I could not find the watch—the prosecutor stated what he has to-day—I searched Lynch in the house, and found no watch—he persisted in saying she must have taken it, and while I was there Jones came into the house, and sat on a chair behind the door—I knew they were generally together, and had seen them twenty minutes before they met the prosecutor, together—I put my hand outside her

bosom, felt the watch, and drew it out—she said it had been left with her by a young man, to stop with her all night, and denied its being the prosecutor's at all, till she got to the station-house—the prosecutor appeared to be sober, and to know what he was about.

Lynch. I had been out in the yard, and did not see this young man at all; while I went down Jones went up, and he gave it to her, but I did not know it. I went up, and said, "Are you going to do as you said?" and he missed it; and when Jones came in, she said he had given her the watch.

Jones's Defence. When I came into the room he was there by himself, and said he had no money, but he gave me the watch to take down to the landlady; I went down, and there being a row, I went out in the street without giving it to the landlady, as she was in bed.

LYNCH†—GUILTY. Aged 21.—Transported for Ten Years.

JONES*—GUILTY. Aged 26.—Transported for Seven Years.

Before Mr. Common Sergeant.

2393. JOSEPH LEWIS was indicted for stealing, on the 17th of August, 1 table-cloth, value 8s., the goods of Thomas Edwards, his master: to which he pleaded

GUILTY. Aged 18.—Confined Nine Months.

2394. JOHN SMITH was indicted for embezzlement.

JAMES ALLEN. I am a baker, and live in Gravel-lane. The prisoner was in my service—it was his duty to receive money for my bread—he should pay me when he received it, and came home—if he has received 15s. from Thomas Beardshaw, he has not paid it to me—it was his duty to pay me.

Prisoner. When you gave me in charge you took 10s., and said you would settle it if I would pay the rest the next day. *Witness.* I did, but I gave him in charge afterwards—the policeman took the money—he asked me to take his clothes and 10s., and he would settle it—he never paid me any money on the Monday—he paid me 1l. 15s. on the Wednesday, and left 1l., and on Thursday I received 1l. 15s. out of 2l. 15s., and 15s. more was due, which I never received—the officer told me, if I compromised I could not prosecute—he never settled his account twice a week with Mr. Beardshaw—I asked him every night whether Mr. Beardshaw had paid him and he said, "No"—I asked him on Monday, Tuesday, and Wednesday and he did not give it to me.

THOMAS BEARDSHAW. I keep a chandler's shop, and deal with Allen. I paid the prisoner every night for his master—I am not indebted any sum to Mr. Allen—I paid 1l. on Monday, 15s. on Tuesday, 15s. on Wednesday and 15s. on Thursday—I could almost swear I paid him 1l. 5s. on Monday.

GUILTY. Aged 20.—Confined Three Months.

Before Mr. Sergeant Arabin.

2395. CATHERINE HERBERT was indicted for stealing, on the 31st of August, 1 gown, value 50s.; 1 shawl, value 15s.; 3 table-cloths, value 20s.; 3 shifts, value 12s.; and 1 sheet, value 10s.; the goods of William Bartlett; to which she pleaded

GUILTY.—Confined Three Months.

Before Mr. Common Sergeant.

2396. CATHERINE DRISCOLL and SARAH HUMPHRIES were indicted for stealing, on the 28th of August, 2 bonnets, value 5s., to

goods of Ann Dunn; and that Humphries had been before convicted of felony.

ANN DUNN. I live at Newington. On the 28th of August these two bonnets were safe on the stand, inside my shop-window—about four o'clock in the afternoon I went out for a few minutes, and when I returned they were gone, and were in the policeman's hands—I can swear to them.

JOHN AGATE (*police-constable M 46.*) On the 28th of August I was on duty at Newington Causeway—a man came and spoke to me—I ran about 100 yards, and saw the two prisoners—they dropped these two bonnets between them, tied up in this apron—I called to them, and they stopped—I knew them, and they knew me—I brought them and the bonnets to the prosecutor's shop—I am sure these bonnets fell from one of them—they were walking close together.

Driscoll's Defence. I saw the two bonnets by the door, and picked them up.

Humphries's Defence. I was coming with this little girl by the door, and picked up the bonnets.

HENRY PICTON (*police-constable M 175.*) I produce a certificate of both the prisoners' conviction from the Clerk of the Peace's office of Surrey—(*read*)—the prisoners are the two persons who were convicted, and had three month's imprisonment.

DRISCOLL—GUILTY. Aged 14.	} Transported for Seven Years. Penitentiary.
HUMPHRIES—GUILTY. Aged 12.	

Before Mr. Sergeant Arabin.

2397. WILLIAM SMITH was indicted for stealing, on the 15th of September, 12lbs. weight of cheese, value 6s., the goods of John Green.

JOHN GREEN. I am a cheesemonger, and live in the Old Kent-road. This cheese was safe on my window-board, outside my window—it was afterwards missed, the prisoner was taken, and the cheese brought back to me.

Prisoner. You was asked at the station-house if you had any mark on it, and you did not positively say it was yours. *Witness.* Yes, I did, it has the mark of my dairy on it.

WILLIAM FORDHAM (*police-constable M 262.*) I passed the prosecutor's shop, and saw the cheese safe—I just turned and saw the prisoner running—I went to the shop, and the boy said a cheese was gone—I ran after the prisoner and took him running away with it.

Prisoner. You know I was tipsy. *Witness.* You were not so tipsy but you knew what you were doing.

Prisoner's Defence. I had walked from Tunbridge Wells—I had called on several persons and had some drink—I took the cheese wrapped up in the handkerchief of a girl who was with me—as soon as the officer came said I had received it, and I would go back with him.

GUILTY. Aged 36.—Confined Three Months.

Before Mr. Common Sergeant.

2398. ROBERT HOBBS was indicted for a misdemeanor.

Messrs. CHAMBERS AND FORTESQUE conducted the Prosecution.

ROBERT CANNEL DAVEY. I am servant to Mr. Scott, of Mount-street, Lambeth. On Thursday evening, the 20th of August, the prisoner came and asked for a penny-worth of whitebrown thread—he gave me a sixpence—I took it, and said it was bad—he said, "A bad one"—I said, "Yes," and asked where he got it—he said at Billingsgate, for carrying oysters—I was

told to fetch a constable—I laid the sixpence on a recess and went for a constable—when I returned the prisoner was gone—I afterwards saw him at the station-house, and recognized him immediately—I took the sixpence off the recess, and gave it to the officer—it was in the same place precisely—I can say it was the same.

Prisoner. You said I had a smock-frock on, and I never wore such a thing. *Witness.* Yes, he had—I am certain he is the same person.

THOMAS WHITEHEAD (*police-constable L 103.*) I was sent for to Mr. Scott's on the 20th of August—I accompanied Davey to the shop and received this sixpence.

ALFRED HALL. I am shopman to Mr. Kingston, a linen-draper, in Westminster-bridge-road. On the 24th of August, I saw the prisoner in my master's shop, about eight o'clock in the evening—he asked for a penny-worth of whiteybrown thread, and he gave me a counterfeit shilling—I had an idea that it was bad, but did not discover it decidedly till Mr. Kingston asked me if I had looked at it—I then saw it was bad, and went for a policeman—I gave the shilling to Mr. Kingston.

WILLIAM KINGSTON. The witness gave me the shilling—I saw the prisoner in the shop—he was the person who gave the shilling—after my young man was gone for a policeman, the prisoner told me he took it at Hungerford-market, for carrying oysters—I said, "Have you got any more?"—he said, "No"—he then threw the thread on the counter, and said, "I don't want your thread," and tried to go out of the shop—I said, "You are not going," and I took hold of him—he was very violent, and I think would have got from me, but one of my young men jumped over the counter, and pushed him some distance up the shop—he then threw himself on the floor—I saw him put his hand to his mouth, but I did not see any thing in his hand—the young man who had hold of his collar said, "He is swallowing something, sir"—the prisoner then began to kick, and was very violent—I said, "You had better take him into the bonnet-room at the back of the shop"—they took him there till the officer came—I then marked the shilling, and gave it to the officer.

JOHN JONES (*police-sergeant L 14.*) I went to the witness's shop, and took the prisoner—I received this shilling—I took the prisoner, and in going along he slipped under my arm, and *dodged* me under the carriages for five or six minutes—I secured him again—I found nothing on him.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint—these are both counterfeit.

GUILTY. Aged 18.—Confined Six Months.

2399. SARAH CULL was indicted for uttering counterfeit coin; to which she pleaded

GUILTY. Aged 46.—Confined One Year.

2400. JOHN GOODEN was indicted for stealing, on the 17th of September, 2 shillings, the monies of William Jobbins, his master.

WILLIAM JOBBINS. I am a baker, and live at Camberwell—the prisoner was my servant. On the 16th of September I marked some money, and amongst the rest two shillings—I put them in my trowsers' pocket by my bed-side—I got up at half-past three o'clock next morning, put on another pair of trowsers, and went to work in my bakehouse—I returned to my bed-room about five o'clock, and saw my trowsers had been moved, and 2s. were gone—the prisoner had been with me the greater part of the time

I was up, he had not been away from me more than two or three minutes—I went to the station-house about half-past seven—I described the marks that were on my shillings—the policeman and I searched the prisoner's box, and found them—these are the two shillings—(*looking at them.*)

WILLIAM ROACH (*police-constable P 40.*) I searched the prisoner at his master's shop—I found nothing on him—I then searched his box in his bed-room, and found these two shillings—the prosecutor had described the marks on them before—I believe the box was not locked—the prisoner said they were what he had saved of his wages.

GUILTY. Aged 17.—Confined Six Months.

Before Mr. Sergeant Arabin.

2401. SARAH BROWN was indicted for stealing, on the 31st of August, 1 ring, value 10s., the goods of Henry Doggrel, her master; to which she pleaded

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Ten Days.

ADJOURNED TO MONDAY, OCTOBER 19TH, 1840.

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CENTRAL. CRIMINAL COURT.

MARSHALL, MAYOR. TWELFTH SESSION.

A star () denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk † that a prisoner is known to be the associate of bad characters.*

LONDON AND MIDDLESEX CASES.

OLD COURT.—Monday, October 19th, 1840.

First Jury, before Mr. Recorder.

2402. WILLIAM MOSSON KEARNS was indicted for feloniously forging, uttering, and altering, on the 9th of September, 1836, a certain deed, with intent to defraud Samuel Twaites.—Other COUNTS, varying the manner of stating the charge.

MESSRS. PRENDERGAST and BODKIN conducted the Prosecution.

CHARLES CROWN. I was a clerk in the Warrant of Attorney Office in the Temple. I produce a warrant of attorney from that office, which was filed there on the 7th of October, 1836—it has been cancelled by the authority of a Judge's order.

CHARLES INNES. In 1836, I was articled clerk to the prisoner. I saw this instrument executed by Mr. Twaites—I cannot recollect on what day—I cannot say whether it was executed on the 9th or 19th—I do not remember the day one way or other.

Cross-examined by MR. CLARKSON. Q. Do you believe it to be the handwriting of the prisoner? A. I cannot swear whether it is or not—I have not said I did not believe it was his writing—I cannot form a belief whether it was written by him or not—at or about the time the instrument was in our office and executed by Mr. Twaites, there was a clerk named Barton in our office—he is gone to Gibraltar or America—he was lately in Gibraltar—I have not heard from him there—I have heard of him—(looking at a paper)—this is my handwriting—I believe Barton has been abroad sixteen months, but I am not certain—I know he is abroad—he called at my chambers before leaving—I believe he was personally concerned in the transaction out of which the warrant of attorney grew—he continued in the office for eighteen months—I remember the prisoner going to France about this time—he returned at the latter end of October, 1836—I and Barton conducted his business in his absence—I believe Barton prepared the warrant, but I cannot say—the body of the warrant is not the writing of Barton, but of a clerk who is in the office now, but Barton, I believe, prepared the draft—I do not know who filed the warrant—I did not—I do not remember it being filed—I could not undertake to swear whether it was filed before or

after Mr. Kearns returned from France—I cannot say that it was filed some time before he returned—Mr. Kearns resided at the office—I believe Twaites came to the office after October 1836—I cannot say whether he was there in 1837 or 1838—it is impossible for me to say—he was not in any business at all at the time he came to Mr. Kearns' office—I do not know how he got his living at that time.

SAMUEL TWAITES. In 1836 I was a brewer at Brixton. In the course of that year I wished to procure an advance of money from the London and Westminster bank—Mr. Kearns was my solicitor at the time—I executed a warrant of attorney to Mr. Kearns that year—it was the renewal of a former one—this is the last warrant—(*looking at it*)—the original warrant was cancelled, and this was executed on the 9th of September, 1836—I did not read it, nor have it read to me at the time—I saw the date on it at the time—it was dated the 9th of Sept.—the word “nineteenth” was decidedly not there at the time I executed it—I am sure it was 9th in both places—no one was present on my part at the time I executed it—Mr. Kearns was my attorney—I was aware of the effect of the instrument at the time—I was not aware that instantaneous execution might issue—I took it to be a warrant of attorney at three months, the same as the former one—the other warrant was torn in two, and thrown under the office table—execution was issued under this warrant of attorney on the 7th of December following, within three months—I was in business at the time of the execution—I afterwards made an application to the Court of Queen's Bench—I know Mr. Kearns' handwriting—I believe the word “nineteenth,” on both sides of this deed, to be his handwriting—I have seen him write—my property was taken under the execution—it has not been given up to me—I am yet out of possession of the rents due on it—my goods were taken under the execution—I do not know what has been done with them—I have not received them back—I gave no authority whatever for the subsequent alteration of these words—I did not know of the alteration at all till after the levy.

Cross-examined by Mr. PHILLIPS. Q. Is this “19th” what you venture to swear you believe to be in the prisoner's hand-writing? A. The remnant that I see here is, to the best of my belief, in the hand-writing of Mr. Kearns—I can read part of *t*, part of *e*, the whole of *n*, and *th*—since I last saw this instrument, before it came into this court, it has been rubbed with a finger—I do not know who has had possession of it—I know it has been in the Warrant of Attorney Office—I suppose that officer has had it in his custody—I never took it out of that office, nor ever authorized any one to do it—that I swear—in 1836 I was a brewer at North Brixton—I took possession in 1836—I had lived in various parts of London before I went there—I cannot recollect the last place—I was living at No. 11, Richard-street, Islington, but I cannot say I went from Islington there—I believe I did—I was living at Islington about twelve months—I lived in Berkeley-square at one time—before I went to Islington I lived about three months at the New Inn, Old Bailey—I was selling wine on commission there, to the best of my belief, and also at Islington—I cannot tell where I resided before I went to the New Inn—I swear that—I lived in Berkeley-square two years—I was a wine merchant there—I went from there to No. 102, Pall Mall, for some few months, and was in the wine and commission trade—I went from there to Brixton—I lived twice at Brixton—I was a brewer when I was first there—my father and brother were my partners in the wine business—I do not recollect where I lived in 1834—I have to

minutes to tell me—I should be committing myself if I mentioned what I did not recollect—I was never committed—I do not understand what you mean—I was once committed to the Compter for an assault—I forget the man's name whom the assault was committed on—I was in prison a month—that is the only time I was ever in prison, except for debt—I have been in the watch-house once—I have been in prison since, in Chancery-lane, for debt—I know a man named Gougenheim—I once stood in the dock of this Court—that was about the time you mention—I cannot remember the year—I will not swear whether it was in 1834 or not—it has slipped my memory—I had known the prisoner a very short time when I began to borrow money of him—I borrowed a few pounds at first—I had borrowed about 30*l.* of him at the time the security was lodged in the Bank—I suppose it was a valid security—they considered it so—there was a promissory note—I did not pay it—I am told the prisoner paid it—I have no doubt he did—I owed him from 20*l.* to 40*l.* at the time the warrant of attorney was drawn up—I cannot tell how much I owe him now—it is not 600*l.*—I swear that—I remember 150*l.*—I cannot swear it is not more than that, because I have never seen a bill—I never lent him any thing—I do not know that I owe him 50*l.*, save the 150*l.*—I will not swear I do not owe him 200*l.* or 300*l.*—I will swear I do not owe him 400*l.*—my property has paid him the money which I borrowed of him—I swear that, from the Master's report—I cannot state whether I now owe him 300*l.* or not—if I had his account I should be able to tell—I have asked for his account many a time and oft—I first knew of the alteration in the warrant of attorney on the 21st of December, 1836, the day the property was sold—I saw it then, and recognized the hand-writing then—I preferred this indictment last Sessions—I did not prefer it before, because I had not the means—I have no means now but what my father helps me to—he was not in London in 1837, 1838, or 1839—I lived by my commission agency—I was so poor all the time that I could not prefer an indictment—I did not ask the prisoner for his account to pay him—the horse and gig I used to ride about in, belonged to a person named Mitchell—I hadn one of my own—the commission business was very poor—I knew Barton, Mr. Kearns' clerk—I did not know of his leaving England—I do not know whether he is here now, he may be—he told me he was going to France, at the time I executed the warrant—I have had an attorney named Riccards—I never said to any one that I did not think this was the prisoner's hand-writing, nor any words to that effect—I never admitted that it was not his writing—I never said so to Mr. Riccards—in 1836 I owed Mr. Kearns 150*l.* for money he paid on my account, not for money lent and advanced—I had nothing to do with professional business.

Q. Did you owe him for money lent and advanced, and for professional business done, 150*l.*? A. I do not know—I never said I did—(*looking at an agreement*)—I do not know that I owed him 150*l.* in 1836, for money lent and advanced, and professional business done by him—I do not know whether I did or not—I have seen this document and have signed it—I do not think I was in debt 150*l.* in 1836, for money he had advanced and professional business done—even with this instrument in my hands I believe not—I was once in treaty with a Mr. Allen for a partnership—I have never been a bankrupt—I forget the name of the man I was charged with assaulting—I do not recollect that it was Robert Hughes—I thought it was Carisle, but I really forget—the accusation was, attempting to kill and murder him—I was honourably acquitted—(*looking at the agreement*)—I see the

words, "Warrant of attorney for 250*l.* on account of the said debt"—I was then in treaty with Mr. Allen for a partnership—it says here, that it was agreed the warrant should not be stamped or filed for some time afterwards, to prevent Mr. Allen discovering I was in debt—that is not true—I have signed that it was—I signed what I knew to be a falsehood, and I declared so at the time—I signed it at the time I said so—it was not read over to me—I signed it in the presence of Mr. Riccards, and another gentleman, who is here—Mr. Kearns was not present when I signed it—I did not want Allen to know I was in debt—judgment was entered on the warrant of attorney in October, 1836—execution was issued, under which my household premises were sold—this paper says, that long before that the prisoner had been called upon and compelled to pay the bankers 150*l.* and interest, which was so lent and advanced to me—that was not true—I signed it—proceedings were instituted in the Queen's Bench to invalidate the warrant of attorney, on the ground that some person had, without my authority, altered the date from 9th to 19th—Mr. Kearns then, for the first time, discovered that the date had been altered by some person—I signed that.

(*Agreement read*)—"In the Queen's Bench.—Between William Mosson Kearns, plaintiff; and Samuel Twaites, defendant. Whereas on and previous to 26th day of February, 1836, certain deeds and documents belonging to the defendant, relating to a brewery and premises in Holland-street, North Brixton, were in the hands and possession of the said plaintiff, who was then the solicitor of the defendant, and on that day the same were deposited with William Ewing, Esq., manager of the Bloomsbury branch of the London and Westminster Bnnk, as security for 150*l.*, lent and advanced by the said Bank to the defendant, on the guarantee or security of the said plaintiff: And whereas the said defendant, being indebted to the plaintiff for monies lent and advanced, and for professional business done, did, on 9th September, 1836, execute to the plaintiff a warrant of attorney for 250*l.* on account of the said debt; but the said defendant being then in treaty with one Mr. Allen for a partnership, it was agreed that the said warrant of attorney should not be stamped or filed for some time afterwards, to prevent the said Mr. Allen discovering that the said defendant was in debt, or that the said brewery and premises were encumbered; and in a few days afterwards the said plaintiff proceeded to Paris, and did not return to London till about the 29th day of the said month of September: And whereas, in the month of October, 1836, the said warrant of attorney was stamped, and judgment entered up thereon, and in the month of December following execution issued, under which the said leasehold premises were sold, the said William Mosson Kearns having long previously been called on and compelled to pay the said bankers the said 150*l.* and interest, so lent and advanced to the said defendant as aforesaid: And whereas proceedings in this honourable Court were afterwards instituted by the said defendant to invalidate the said warrant of attorney, on the ground that some person had, without his authority, altered the date of the said warrant of attorney from the 9th to the 19th of the said month of September, 1836; whereupon the said plaintiff for the first time discovered, and did not deny, that the date had been altered by some person: And whereas, since the said proceeding in the said Court, the said defendant hath stated that he executed two warrants of attorney pending the said negotiation with the said Mr. Allen, which statement induced the said plaintiff to make further and searching inquiries as to what took place in the office of the said plaintiff during his said absence in Paris, as hereinbefore mentioned, and it hath been discovered, to the

satisfaction of both parties, that a clerk in the office of the said plaintiff, instead of preparing a second warrant of attorney, as supposed by the said defendant, had, to save expense, altered the date of the said first and only warrant of attorney to the 19th day of September, and got the same again executed, and which he, on or about the 6th of October, got duly stamped and filed after the negotiation with the said Mr. Allen had terminated, and which said alteration was made without any wilful intention, but in the spirit of the said original understanding and agreement for delaying the stamping and filing of the said warrant of attorney: And whereas the said discovery last mentioned has led to an amicable adjustment of all disputes between the said parties, and the said defendant doth hereby agree to cause his life to be insured in the Asylum Insurance Office to collaterally secure the due payment of the debt due from him to the said plaintiff; and the said plaintiff doth agree to obtain and deposit the deeds of the said brewery with Mr. Riccards, the attorney of the said defendant, who is to receive the rents from the 25th of March instant. And lastly, it is agreed that a certain action of replevin of *Bye v. Bower and Crook*, now pending, under a distress levied on the said brewery and premises, by or in the name of one Samuel Bower, but at the instance of the said Samuel Twaites, shall be discontinued, and all proceedings under the said levy or distress shall henceforth cease and determine. Dated 17th March 1840. (Signed) SAMUEL TWAITES and WILLIAM MOSSON KEARNS. In the presence of Russell M. Riccards, 3, Gray's Inn-square."

Q. Now, that is all false, I suppose, that you signed? A. There is some portion of it correct—I signed it, knowing that some portion was false.

Court. Q. What use was to be made of this instrument? A. I cannot tell what use it was, but to save himself.

Mr. PHILLIPS. Q. Just attend to this portion of the document: "And the said plaintiff doth agree to obtain and deposit the deeds of the said brewery with Mr. Riccards." Were they so deposited? A. They were—I got them out of Mr. Riccards's possession by false pretences—I found my property there, and found by the agreement that I had been defrauded out of them—I did not write to Mr. Riccards to get them—I wrote to say I had got them—I stated the purpose for which I got them, which was a falsehood—I owed Mr. Riccards at that time about 10*l.* or 12*l.*—I did not pay him—I did not give him back the deeds—I thought that was honest, under the conduct that was pursued towards me—I swear Mr. Riccards did not read the whole of that document to me, only one or two bits, or portions—I signed it for the purpose of getting my deeds, as I was in such hands—I told Riccards at the very time—"I know I have signed that, of which the very portions you have read is incorrect"—I swear I said that—I did not know the deeds were to be deposited with Riccards—I did not know that was stated in the document—that part was not read over to me—he had a lien of 100*l.* on the deeds, according to the report of the Master.

Q. And you got the deeds fraudulently, knowing that he had a lien on them of 100*l.*? A. He delivered them up—my attorney was about to indict him.

Q. Now, I see there is another clause in this, that you were to have your life insured in the Asylum Office, did you get that done? A. I visited one—my brother was one of my referees—he was the medical man—it was requisite for me to refer to a medical man—I am not aware that he put me out of the office—he was warned not to do it—he applied to me, or at least my father did, to know what it meant; and the reply I made

was, that it was not my intention to have my life insured—I never intended to do so, although I signed a document promising to do so, and had gone to the insurance office—I did not intend to go to the insurance office at the time I signed it—I was not aware there was any undertaking to that amount in the agreement—I knew I was to go to the insurance office—the state of accounts between me and Mr. Kearns was not read over to me by Mr. Riccards—that I swear—(*looking at a paper*)—this paper was not put into my hands—I never saw it before—it is quite new to me—this paper states that I owed Mr. Kearns 609*l.* 16*s.* 9*d.*—I have heard it stated by my solicitor, Mr. Platts, that that is the amount he claims of me—I have had six or seven solicitors in this matter before I could get justice done me—I paid them a good deal latterly—I have paid 100*l.*

Q. Would not that have preferred a good many indictments? A. When I got money I preferred it, and that was only this year—I never saw this paper before—if Riccards signed it as my agent, he did it unknown to me—I swear that—on my solemn oath he did not read it over to me, or offer to do so, nor did I authorise him to sign it—he did not tell me the amount—he said 600*l.*, and this says 609*l.*—I said, “That is an account I will not look at, I have nothing to do with it”—all I saw was the agreement—I believe the first warrant of attorney, which was torn up, had a witness to it, but I cannot swear it—I cannot recollect whether it had or not—I believe it had, and I believe Mr. Innes was the man who witnessed it as well as the second, but I would not swear he was there—that was executed about the time I got the money from the bank—I am now living at No. 2, Frederick-street, Vincent-square, and have been for two years with the same persons there, and in Vauxhall-bridge-road—they removed from one to the other—(*looking at a letter*)—this is my hand-writing, and this also—(*looking at another*)—I sent them—I forget who to—those who know it to be true may consider it bad—I had good cause for writing it—it is a strong document—I sent one to the Sheriff’s office, and one to No. 5, Red-lion-square, to the prisoner—Mr. Ewing is manager of the Westminster Bank, into which the prisoner paid the 150*l.* in my default.

(*Read*)—“Oct. 15, 1840.—Sir, I have been induced to send you the inclosed draft of a placard, which is being placed on the walls of the metropolis, for your future benefit. If it does not, it ought to make you more discreet than to aid and abet a swindling villain to rob me of my property as you have done. Think not that you are the mighty god of war, or that I care one atom for all the power that you or your concern possess. If I am not quickly put into possession of the said property I’ll make you and your employers blush at the illegal conduct performed, if shame forms anypart of your composition. Yours, respectfully, T. TWAITES.”

“Caution to the public,—Beware of Swindlers. Hall, 5, Red Lion-square, proprietor; William Mosson Kearns, solicitor. This well matured wretch stuck not at forgery, and defrauding the revenue, &c., in a certain warrant of attorney, and in the first part of this swindling transaction, the London and Westminster Bank lent their wilful assistance, a full description of which will shortly appear through the press.” For present satisfaction, apply to No. 2, Bedford-street, Bedford-square; and at No. 50, Lincoln’s-Inn-fields, ground floor, 1st door left. For particulars of a marriage settlement fraught with the most villanous dye, apply to No. 81, Gower-street, Bedford-square, and at No. 3, Elm-tree-court, Temple, ground floor.”

Q. For what purpose did you send that to Mr. Ewing? A. To warn

him against the prisoner—they had parted with my deeds without my authority—I did not mean to charge them with swindling, but was it proper for a man of business to deliver up my deeds to another without my authority?—the marriage referred to, several persons in Court can speak about—it was the subjugating of deeds of Court in 1831, created by order of the Court of Chancery, and substituting another deed, making himself sole trustee and on that deed he sold and realised to the tune of 6000*l.*, and the poor people are now in the deepest distress—I sent to Mr. Ewing to warn him against lending his wilful assistance to Kearns—he might infer from that what he had done—I wrote that letter to Mr. Ewing to imply that he did not frighten me—it never struck me that I ought to have paid the prisoner any of the 150*l.*—I wanted justice done me, and what money I could raise was spent in performing it—he disabled me from paying the 150*l.*, having my property sold for 50*l.*, which would fetch 1,200*l.*—I did not wish Allen to see that my estate was mortgaged—we had not then come to terms—Kearns was about obtaining me a mortgage for 500*l.* or 600*l.*, and till that mortgage was effected we got the London and Westminster Bank to lend 150*l.* on the security, with a note of hand—the mortgage was never effected—the instrument became due—to clear his name I gave him a warrant of attorney—it went on from period to period, he reporting he had this and that person coming forward to mortgage this property—I was without money in consequence—it travelled on to September, when he got me to renew this document, saying the money would be forthcoming before any settlement with Allen was wanted—it never did take place—I found I should have as much money as Allen by this advance, and that was the reason why I did not wish Allen to see that the estate was in that debt, thinking it might throw him out of the intended partnership if he knew it was so—I know a person named Jackson—I heard that he claimed some furniture in the house—I knew it at the time from him—I sent him to do it—I heard afterwards that he had done it, that he had done what I wished him to do—I sent him after the Sheriff had levied the execution to claim the goods as his, that the Sheriff might not sell, knowing I was in bad hands—they were not Jackson's goods—the goods were not legally in execution—the Sheriff had no right to be there—I believe the Sheriff sold them—I do not know whether it was under the landlord's distress for rent—I was not there at the time—I owed the landlord rent, I cannot tell how much—the goods I sent Jackson for, had been moved off the premises—a man at Marsh-gate removed them—I do not know his name—I desired him to move them—I believe I saw the notice Jackson was to give to the Sheriff—I did not write it—I do not know who did—I might or might not write it—I do not think I did—I do not recollect whether I did or not—I could tell if I saw it—(looking at it)—this is not my writing—I do not know whose it is—I desired it to be written.

(This paper was dated 7th December, 1836, and was a notice, signed "Thomas Beal Jackson," claiming the goods in question, and warning the Sheriff not to seize or dispose of them upon pain of an action.)

It was not true that they were Jackson's things—Jackson is the person I have referred to who has suffered so materially in the marriage settlement—he is living in Norfolk at present—I saw him some months back—he is now a policeman—he was not so then.

MR. PRENDERGAST. Q. Has he been a man of property? A. Yes, the document Jackson was sent with, was to be used at the time the goods

were to be taken by Mr. Kearns under this warrant of attorney—Mr. Kearns had issued a distress within the three months, making my warrant of attorney quite different to what it was, and then I resorted to this scheme—when Riccards read part of this agreement to me, I told him it was incorrect—I signed it afterwards, making this remark, “Mark, Mr. Riccards, I am signing, if I sign this, that which is palpably false, and understand also that an agreement is not an oath”—it is stated that there was only one warrant of attorney, which is false—I saw the first warrant torn up and thrown under the table—I do not know the name of the clerk who drew it up—it was drawn up when I went in—I do not think Mr. Kearns has the same person in his office now—this indictment has been preferred not out of my own funds, but my father’s—from these proceedings of Mr. Kearns my property has suffered at least 1000*l.*—I was a person of property at that time—I gave 400*l.* for this place, and I laid 200*l.* or 300*l.* out in improvements.

GEORGE MEADEN. I am articled clerk to Mr. Bishop, an attorney. I have seen this warrant of attorney just now in Court.

SARAH JACKSON. I know Mr. Kearns. I have seen him write many times—(*looking at the warrant of attorney*)—the word “nineteenth” is very like his writing—from what I have seen of his writing I believe it to be his—I have seen him write, and seen his writing frequently.

Cross-examined by Mr. PHILLIPS. Q. Are you the wife of Thomas Beal Jackson? A. Yes, he is at Swarson, in Norfolk, in the police—I did not know of his serving that notice for Mr. Twaites—I never heard of it till this moment—he never told me of it, nor any thing about the furniture moving—if he ever did such a thing I never knew it—I have a law-suit in hand, which keeps me in town—I believe my husband made an affidavit along with me in this business—I believe the cause of his not being here is, that he has never been made acquainted with the trial that was to come on—I am quite sure he does not know of the trial—it was on the subject of Mr. Kearns’ handwriting that he swore with me—I cannot say how long ago it is that I first heard of this indictment—I cannot swear whether it was three weeks ago—I might be told of it, and I should think no more about it—it was not any business of mine—it might be three months ago that I heard of it, for any thing I can tell—the fact is, it never entered my memory—Mr. Twaites told me on Saturday night I was to attend here—Mr. Twaites has repeatedly told me he was going to indict the prisoner for forgery—I should say it is since I made my affidavit that he told me so—I do not know where he told me so—very likely at my own house in Vauxhall-road—my husband has not been in town lately—I have written to him—I never said a word about this indictment—I do not know that my husband owes the prisoner any money—Mr. Kearns should first say how much he has had of my husband—he does not owe Mr. Kearns 600*l.*—I do not know that he owes him as many shillings.

MR. PRENDERGAST. Q. If every thing was settled, do you know or believe that your husband owes Mr. Kearns any thing? A. I do not believe he does—a good deal of our money has passed through his hands—my husband was an independent gentleman when I married him, living in the country—we have had some business in Mr. Kearns’s hands a great many years, and he has never been able to get through it, I am sorry to say.

MR. PHILLIPS to GEORGE MEADEN. Q. You have seen this warrant of attorney before to-day? A. I have, a clerk in the Judgment-office showed

it to me—I asked him to let me look at it—I was not aware what it was until I saw it to-day—I am very well acquainted with the prisoner's hand-writing—I should be inclined to say this was not his writing, but there is not enough of it for any one to say—my belief is, that it is not his.

MR. PRENDERGAST. Q. Although you believe that there is not enough to tell? A. The balance of my opinion is that it is not his—I came here as a matter of courtesy to the notice sent by the prosecutor—I was not subpoenaed, but Mr. Bishop was, and he requested me to attend here, if it was necessary—I am managing his business, and seeing this notice on the table to-day, I thought it better to come down here—I had no wish to get into the box, and I do not know that you told me to—you examined me—the book was tendered to me, and, as a matter of course, I was sworn—I have not the least interest in the case—I merely came here for the interests of justice—I told Mr. Bodkin I came from Mr. Bishop.

THOMAS SAUNDERS. I am in the firm of Blenkinson and Saunders. I know Mr. Kearns, and have had letters from his office—I am not aware that I have seen his hand-writing.

THOMAS ROBINSON. I am clerk to Mr. Pearson, a solicitor, in Essex-street, Strand. I have seen Mr. Kearns write once or twice, and have seen several letters of his writing—I believe myself able to form a judgment of the character of his hand-writing—(*looking at the warrant*)—the letters in the date of the “nineteenth” appear very much like Mr. Kearns's writing—I should not like to pledge my belief—it is very much indeed like it, but it being only an alteration, it is difficult for any body to swear positively—there is hardly enough, for this reason, because it is written on an erasure—it certainly appears very much like his writing—I do not think there is sufficient to form a belief—the first part I should say, it is impossible for any body to identify, and I should not like to pledge my belief to the other.

WILLIAM GODSELL. I am a solicitor. I know Mr. Kearns—I have seen him write—I have received letters from him, and have acted upon them—(*looking at the warrant*)—I will not swear this is his writing—it is not sufficient for me to form an opinion.

WILLIAM EWING. I am manager of the Holborn branch of the London and Westminster Bank. I know Mr. Kearns's hand-writing perfectly well—(*looking at the warrant*)—I cannot see any character like his usual style of writing in the first part, it is so smeared—in the concluding part there is certainly something that resembles his hand-writing, but I have a great question in my own mind if it is his writing—I do not believe it to be his—there is a resemblance—there is something different—if Mr. Kearns were to sign a cheque in this way I should hesitate to pay it.

SAMUEL GREEN. I was present when this agreement was signed, but I did not take much notice of it—I had not the paper in my hands—I saw Mr. Riccards have it.

NOT GUILTY.

NEW COURT.—Monday, October 19th, 1840.

Fifth Jury, before Mr. Sergeant Arabin.

2403. EDWARD STEWART was indicted for stealing, on the 26th of September, 2 pint pots, value 2s., the goods of John Jones; and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 44.—Transported for Seven Years.

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2404. MARY BRUNT was indicted for stealing, on the 2nd of October, 59 walnuts, value 1s., the goods of Richard Bethel, her master: and MARTHA VERNON, for feloniously receiving part of the same, well knowing them to have been stolen; against the Statute, &c.

ELIZABETH GROVES. I work for Mr. Richard Bethel, in Covent-garden. On the 2nd of October, the prisoner Brunt and I were shelling walnuts for him—I saw her put some in her pocket several times—I mentioned it to Dominigo.

WILLIAM DOMINIGO. I am in the service of Mr. Bethel. Groves told me what Brunt was doing—I watched her go to a public-house—I saw her pull walnuts out of her pocket, and give them to Vernon, who was there.

RICHARD MOORE. I am beadle of Covent-garden Market—I followed Brunt down the market, and saw her go to a public-house—Vernon was standing there—they went into the tap-room—I saw Brunt emptying her pocket into Vernon's lap—I took the prisoners—I found thirty walnuts on Vernon, and twenty-nine on Brunt.

Brunt's Defence. I was crossing the market in the morning; a man was carrying a sack of walnuts; he dropped some; I took them up, and put them into my pocket—I never took one of the prosecutor.

BRUNT—GUILTY. Aged 41.—Confined One Month.

VERNON—NOT GUILTY.

2405. HENRY HEARN was indicted for an assault.

GUILTY. Aged 22.—Confined Two Months.

2406. LAWRENCE BROWN was indicted for stealing, on the 19th of September, 1 watch, value 3*l.*; 1 watch-guard, value 6*d.*; and 1 key, value 6*d.*; the goods of Elizabeth Winteringham.

ELIZABETH WINTERINGHAM. I am a servant to Mr. Dobie, of Lancaster-place, Strand. About twenty minutes before twelve o'clock, on the 19th of September, my watch hung over the dresser, in the kitchen—(the prisoner had come the day before with our baker, to see the customers before he entered the service)—I saw him come down the area steps on the 19th—I then went to answer the house-bell—the cook missed the watch, and asked me where it was—when I missed it I went and saw the prisoner at the dust-hole—I accused him of having taken it—he said he had not got it—no one else had been down—I saw the policeman find it in an empty flowerpot in the dust-hole—this is it—(looking at one)—it is mine.

Cross-examined by Mr. DOANE. Q. Who did you leave in the kitchen? A. Two children—the baker sent them out of the kitchen—the cook had gone to market—I had seen the watch exactly twenty minutes before twelve o'clock.

SUSAN RESTALL. I am the cook. I had been to market, I returned and missed the watch—I met the prisoner coming out of the kitchen-door, he went to the dust-hole in the area—I told the prosecutrix, and I heard he go to the door, but I did not follow her—the watch was found in a flower-pot in the dust, where he was standing.

CHARLES POCOCK (*police-constable F 116.*) I was sent for, and found the watch.

Cross-examined. Q. Were there not three other policemen there? A. There were two in the kitchen when I arrived, and one on the top of the

stairs—I heard one of Mr. Dobie's clerks say that the dust-hole had been searched—I had no difficulty in finding it—I removed the flower-pots—there were about a dozen—they stood in lots—the watch was found in a pot with three more pots covered over it.

GUILTY. Aged 26.—Transported for Seven Years.

2407. **MARY ANN BROWN** was indicted for stealing, on the 23rd of September, 2 breast-pins and chain, value 2*l.* 5*s.*, the goods of Edward Matthews, from his person.

EDWARD MATTHEWS. I am an engraver. Between twelve o'clock and half-past, on the night of the 23rd of September, I was walking with two friends in Fleet-street—I saw the prisoner and four other women coming along the street—one of them laid hold of my friend, Mr. Parsons, and began pulling him about—I walked on a step or two, turned, and said, "Come along"—one of the women came forwards to spring on me—the prisoner rushed forwards, and took my pins from my breast—Mr. Parsons was noticing the pins some time before—I gave the prisoner into custody two or three minutes after.

Cross-examined by Mr. DOANE. Q. The pin never was found? A. No—I saw a policeman about two minutes after this occurred—I never lost sight of the prisoner—there were no other girls with me before this—the five were on my friend—I do not know whether the prisoner was searched—the policeman took her directly—I am certain she took the pins from my stock with her left hand—directly she took it she ran to her friends—I ran, and seized hold of her.

RICHARD PARSONS. I am a vocalist. I was walking with the prosecutor and another gentleman down Fleet-street—five females came up—one of them accosted me, and insulted me—my friend called me—one of them took off her bonnet and shawl, and there was an appearance of confusion—the prisoner made a snatch at the prosecutor's stock, and turned towards her companions—then the prosecutor gave her into custody, and said, "You have got my pin."

Cross-examined. Q. You did not see her do any thing? A. Not after she made the snatch—she turned about three paces towards the other girls, and then she was stopped by my friends—one of them took hold of me, and then the others surrounded me—I am sure I am not mistaken.

EDWIN HILL (*City police-constable, No. 347.*) The prosecutor gave the prisoner in charge—a woman searched her, and found nothing on her.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Six Months.

2408. **JAMES RANDALL** was indicted for stealing, on the 28th of September, 1 copper, value 1*s.*, the goods of John Smith; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

2409. **THOMAS CHARLES LYNN** was indicted for stealing, on the 19th of September, 48 yards of silk, value 5*l.* 4*s.*; 30 umbrella handles, value 1*l.* 17*s.*; 6 parasol handles, value 1*s.*; the goods of Christopher Terrey Robins and others, his masters, in their dwelling-house.

MR. BALLANTINE conducted the Prosecution.

CHRISTOPHER TERREY ROBINS. I am in partnership with two others—we are umbrella and cloth cap manufacturers, in Houndsditch—the prisoner was in our employ last winter, and three months ago we took him

again. On the 9th of September I was in the yard adjoining the packing-warehouse, examining some umbrellas packed for an order—one of them had a wrong ticket on it—I sent for the prisoner, and said, “Here is an umbrella with the best mounting with a common ticket”—he said, “I will get another”—he turned, and I saw in his pocket some dark silk with a light selvage—that raised my suspicion—I thought it was better not to lose sight of him, and told him to go to his dinner, and never mind getting the ticket—he went out into the street—I followed, and laid hold of him—he made some resistance, but I brought him back—the policeman searched him, and found on him these forty-eight yards of figured silk with a light selvage—twenty yards was taken from his coat pocket, and the rest from his trowsers; twenty-two carved ivory handles were taken from his breeches pocket, and the other handles were found on him.

Cross-examined by Mr. JONES. Q. How long had you known him?
A. About eighteen months—he had a good character—I went to his lodgings, but found no property.

SAMUEL PATRICKS (*City police-constable, No. 64.*) I received the prisoner in custody—I searched him, and found the property on him—he said he was very sorry, he hoped his master would forgive him.

(*Property produced and sworn to.*)

(The prisoner received a good character.)

GUILTY. Aged 19.—*Recommended to mercy.*—Confined One Year.

2410. JAMES HUXLEY was indicted for stealing, on the 29th of September, 1 pair of trowsers, value 12s., the goods of Benjamin Prew; to which he pleaded

GUILTY.** Aged 18.—Transported for Seven Years.

2411. WILLIAM WEATHERBY was indicted for embezzlement; to which he pleaded

GUILTY. Aged 21.—Confined Six Months.

OLD COURT.—Tuesday, October 20th, 1840.

Second Jury, before Mr. Recorder.

2412. CHARLOTTE JAMESON was indicted for stealing 1 cheese, value 2s. 4d., the goods of George Chapman, her master; to which she pleaded

GUILTY. Aged .—*Recommended to mercy.*—Confined Fourteen Days.

2413. THOMAS BAKER was indicted for stealing, on the 22nd of September, 1 handkerchief, value 7s., the goods of Thomas Benjamin, from his person.

HENRY STREET (*police-constable K 301.*) On the 22nd of September I was passing through Cornhill, and saw the prisoner pick Mr. Thomas Benjamin's pocket of a silk handkerchief—Benjamin is gone abroad—he appeared at the Mansion-house by that name, and answered to it—the prisoner tried to escape—Stockwell stopped him—he threw down the handkerchief, and struck Stockwell a violent blow on the mouth—I took up the handkerchief, and took the prisoner into custody—Mr. Benjamin claimed the handkerchief, in the prisoner's presence, on the spot—I saw sufficient of it to say it was the same as I saw him take from his pocket.

Prisoner. He was coming round Gracechurch-street at the time I was

running after the boy who picked the pocket. *Witness.* I saw the prisoner pick the pocket; it was not a boy; I saw no boy near.

JOHN STOCKWELL. On the 22nd of September I was in Cornhill, and saw the prisoner behind Mr. Benjamin—I saw him draw his handkerchief from his coat-pocket, and then run away—the gentleman turned round, and called “Stop thief”—I pursued the prisoner round the coach-stand, and took hold of him, he put his hand in his trowsers, and threw the handkerchief out into the road—the policeman took it up, and the prisoner hit me a blow in the mouth with his fist—I never lost sight of him—I am confident of him.

Prisoner's Defence. Coming from Finch-lane, I heard a cry of “Stop thief,” and saw a boy rush past a gentleman; he hollowed, “Stop thief,” and hit the boy with his cane; I ran after the boy, who threw down the handkerchief, and as I was going to pick it up the policeman took me.

GUILTY. Aged 24.—Confined Six Months.

2414, **OLIVER DEATH** was indicted for wilful and corrupt perjury.
NOT GUILTY.

NEW COURT.—*Tuesday, October 20th, 1840.*

Sixth Jury, before Mr. Sergeant Arabin.

2415. **JANE EDWARDS** was indicted for stealing, on the 30th of September, 1 pocket-book, value 1s., the goods of Michael Malin Biggs, from his person.

JAMES LONGFOOT. I am a printer. On the night of the 30th of September, between one and two o'clock, I was in Holborn, and saw the prisoner walking behind the prosecutor, with her hand in his pocket; I turned round, and she was in the act of pulling the pocket-book out of his pocket; when I got behind her, she finished pulling it out, and threw it on the ground—I picked it up, laid hold of her, and informed Mr. Biggs, and gave her into custody—there was one woman on each side of the prosecutor, and the prisoner was behind.

MICHAEL MALIN BIGGS. I was walking in Holborn—Longfoot informed me about my pocket-book—this is it—my name is in it—it was in my pocket before I went to the station-house with the prisoner—there was a lot of women there—I was not quite sober—I had been out to supper.

Prisoner's Defence. I was going up Holborn, and saw the prosecutor very much intoxicated, walking arm-in-arm with two females; all of a sudden the women ran away, and dropped something. I stood still on hearing the alarm, and was given in charge. I know nothing of it; what the witness has sworn is quite false.

GUILTY.† Aged 19.—Transported for Ten Years.

2416. **MARY ANN KING** was indicted for stealing, on the 25th of September, 1 handkerchief, value 6d., the goods of George Alexander Brimmer, from his person.

GEORGE ALEXANDER BRIMMER. I am a printer. On the 25th of September, about half-past twelve o'clock, I was on Holborn-hill—the prisoner accosted me, and followed me—I refused her all I could—she asked me to accompany her down Field-lane, and attempted to pull me down there—I kept walking on, and told her to go away—I broke away

from her—she still continued to walk by my side—directly after I missed my handkerchief, I accused her of it, and she denied having taken it, or knowing any thing about it—the policeman came up, and I gave her into custody—the inspector, at the station-house, said he would search her, and she then produced the handkerchief from her person.

WILLIAM BOWERMAN (*City police constable, No. 249.*) The prosecutor charged the prisoner with having taken his handkerchief, she denied it—she was taken to the station-house—the inspector said she should be searched, and sent for the female searcher, and then she produced the handkerchief.

Prisoner's Defence. The prosecutor accosted me, and took me to a door-way, and I said, "Will you go to a house?"—he said he had but half-a-crown, and would get change, and give me 1s.—he gave me the handkerchief to hold till he gave me the shilling—as I was going along he saw the policeman, and gave me in charge for stealing it—I said I would not give it to him till he gave me 1s.

GUILTY. Aged 21.—Transported for Ten Years.

2417. JAMES GRANT was indicted for stealing, on the 2nd of October, 1 handkerchief, value 9d., the goods of James Thomas, from his person; and that he had been before convicted of felony.

GEORGE DENT. I am a carman and work for my father. About half-past two o'clock, on the 2nd October, I was in the Poultry, and saw the prisoner try several gentlemen's pockets—I watched him, and saw him come near the prosecutor, and take a white handkerchief out of his pocket—I told the prosecutor, who went after him down Charlotte-row—I saw the handkerchief found in his side-pocket—he denied that he had got it.

JAMES THOMAS. This is my handkerchief—Dent informed me that my pocket had been picked—I followed the prisoner, and in Bucklersbury taxed him with taking my handkerchief—he said he had not—I saw it taken from his side-pocket.

EBENEZER KIBBLEWHITE (*City police-constable, No. 232.*) I produced a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(read)—I was a witness on that trial—the prisoner is the person.

GUILTY. Aged 18.—Transported for Ten Years.

2418. ROBERT MANN was indicted for stealing, on the 28th of September, one printed book, value 5s., the goods of Daniel Dodson.

DANIEL DODSON. I sell books, and live in Fleet-street. On the 28th of September, on receiving information, I went out, and saw a person like the prisoner running across the road—I saw him drop this book, which was mine—I took it up—I believe the prisoner to be the person, but he was not taken in my sight.

EDWIN BURGESS (*City police-constable, No. 329.*) I saw the prisoner running across the road, and the prosecutor following him—he passed me at the corner of Salisbury-court with the book—he ran along Salisbury-court, and dropped it—I am sure he is the person—I ran and spoke to the prosecutor, and he pursued the prisoner—he got into the City gas-works there I lost sight of him, and he was taken by Brissenden.

JOHN BRISSENDEN (*City police-constable, No. 331.*) I saw the prisoner running, he went down by the City gas-works, and there I took him on suspicion of having done something wrong, by his running so fast.

GUILTY. Aged 17.—Recommended to mercy.—Confined One Month.

2419. JOHN EDWARDS was indicted for forging and uttering a request for the delivery of 3lbs. weight of isinglass, with intent to defraud Sutton Simpson and others.

MR. ADOLPHUS conducted the Prosecution.

RICHARD BURGE. I am in the employ of Messrs. Sharpe, cutlers, in Great New-street, Fetter-lane. I saw the prisoner, at half-past five o'clock on Thursday evening the 24th of September, in East-street, Duke-street—I had not seen him before—he said he would give me 1d. I would take a note to Mr. Simpson, in Little Britain—I took it—I now take the note again, this is it—(looking at it)—I delivered it to one of the men in Mr. Simpson's employ—he gave me a parcel with isinglass, to take to the prisoner—I met him at the end of Duke-street, Smithfield, and was going to give him the parcel—he would not take it, but walked very fast, directly he saw me offer him the parcel—two gentlemen came up and gave him in charge—I am positive he is the person—it was ten minutes or a quarter of an hour from the time he gave me the letter till I returned with the isinglass.

Cross-examined by MR. CHAMBERS. Q. How far is it from Duke-street to Little Britain? A. About three minutes' walk—he showed me what shop to go to—I have been in Mr. Sharp's service about nine months—I am thirteen years old—I live with my parents on Great Saffron-hill—my father is a sawyer—before I went to Mr. Sharp's I was at Mr. Clay's, steel pen manufactory, in Holborn-hill, for about six months—I did not know Mr. Simpson's shop before—I was going home when I met him—I had been on an errand.

HENRY KOOLMAN. I am in the employ of Sutton Simpson, and Co. here was a partner, but he is dead—Burge brought me a letter—I asked him where he brought it from—he said, "From Kensington"—I asked him how much he had brought the money—he said, "No"—I took it to Mr. Humphries, and he told me to put up 3lbs. of isinglass"—(read)—"To Messrs. Simpson, & Co., Isinglass Manufacturers, Little Britain—R. and W. Alger will thank Messrs. Simpson and Co. to send by bearer 3lbs. of the best fine white isinglass. High-street, Kensington."

CHARLES HUMPHREY. I am warehouseman to Sutton Simpson, and Co. Koelman delivered this letter—I had a suspicion, and consulted Mr. Simpson and my brother—we agreed to make up the parcel—I was to go one way, and another person to follow the boy—he told us a gentleman waiting in Duke-street gave him the order—we went, and I saw the lad coming up, and my brother following him—my brother seized the prisoner—I crossed, and took him—a policeman I had in waiting took him—Mr. Alger, of Kensington, is a customer—we would have trusted him if it had been a genuine letter.

SAMUEL HUMPHREY. I went out to follow the boy and saw the prisoner—the boy went to him and held the parcel out, but he would not take it—he walked past the boy two or three times—I was across the road—I could see me—the prisoner has been to our warehouse, and had goods on his own account—I have seen him twenty times—he was acquainted with our warehouse, and our manner of doing business.

Cross-examined. Q. What warehouse do you speak of? A. Mr. Simpson's—he used to deal with us, and pay for what he had at the time—he did not owe us any money—I have known him twelve months, or

two years—I did not know where he lived, or what was his name before—the isinglass is worth about 2*l.* 4*s.* 6*d.*—this order does not at all resemble Mr. Alger's hand-writing—he was in the habit of sending written orders, but always by a carrier with the money.

MR. ADOLPHUS. Q. Whether Mr. Algar had a porter or clerk who might have written, you do not know? A. No.

ROBERT ALGER. I am a chemist, living in High-street, Kensington. This paper is not my writing, nor written by any one in my house—I deal with Messrs. Sutton for isinglass—I knew nothing of this letter till I saw it at the police-office—I have seen the prisoner before, but have no acquaintance with him.

Cross-examined. Q. Is that at all like your hand-writing? A. Not in the least—it would not deceive a person who knew my hand-writing well.

MR. ADOLPHUS. Q. Would every clerk or porter of the prosecutor know your hand-writing? A. No.

WILLIAM BENGE (*City police-constable, No. 262.*) I took the prisoner, and found two duplicates and 2½*d.*—I asked his name, and he refused to give it.

SUTTON SIMPSON. My partner is dead, but the business is carried on for the benefit of the executors—they are not partners with me—they had an interest in the business up to the 1st of October, and this occurred on the 24th of September—before that they had a share of the profits.

(The prisoner received a good character.)

GUILTY. Aged 38.—*Recommended to mercy.*—Confined Two Years.

2420. JOHN WHITLING was indicted for stealing, on the 18th of September, 1 pair of trowsers, value 1*l.*, the goods of Albert David Bottomley.

JOHN MALENOIR. I live with Albert David Bottomley, a tailor, in Gracechurch-street. About seven o'clock in the evening of the 18th of September, I saw a pair of trowsers gradually moving off a nail inside the door-way—I immediately went out, and saw the prisoner with them in his hand, about three yards from me—he threw them over to me—I kept running after him, and caught him in the middle of the road—the policeman took him from me—I am sure he is the person—here are the trowsers.

Prisoner's Defence. The gentleman accused me of stealing the trowsers. I said, "You are mistaken, I am not the person."

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Three Months.

2421. JOHN SMITH was indicted for stealing, on the 3rd of October, 1 jacket, value 12*s.*, the goods of James M'Donald.

JAMES M'DONALD. I am a labourer at the gas-works. I was at work in Cheapside on the 3rd of October—I put my jacket in a truck—it was taken by the prisoner before my face—I ran, and could not overtake him—the policeman took him—he is the man that took it.

DANIEL DOUGLAS (*City police-constable, No. 426.*) I followed the prisoner, and took him with the jacket on over his smock frock—I gave it to the prosecutor.

GUILTY. Aged 22.—Confined Three Months.

2422. JOHN BEADLE was indicted for stealing, on the 30th

September, 3 quarts of oats, value 6d.; and 1 sack, value 2s.; the goods of David Bevan, his master.

MR. BALLANTINE conducted the Prosecution.

JOSEPH COOTE (*police-sergeant N 25.*) Between five and six o'clock in the evening of the 30th of September I was at Edmonton, and saw the prisoner near Mr. Bevan's farm with a sack on his back, and a basket in his hand—I asked what he had got in his sack—he said, "Potatoes"—he was in the road when I stopped him, but I had seen him at the stable-door—he put the sack down, and I searched it—he took the oats out from the sack—they were in a dinner bag—I asked how he came by them—he said they were his master's, and said, "It is the first time I have done wrong, I never did such a thing before."

JAMES EISDELL. I am bailiff to Mr. Daniel Bevan—the prisoner was his labourer. This sack is Mr. Bevan's—the prisoner had no right to it—we had oats of this description—I cannot positively speak to it—these oats were in a barn adjoining to the one in which the prisoner was threshing—he had access to the barn.

THOMAS EMERY (*police-sergeant N 39.*) I was with Coote when the sack was searched—there were some potatoes in it, and this small bag with oats.

Prisoner's Defence. I had not come away from the stable-door with them.

GUILTY. Aged 30.—*Recommended to mercy.*—Confined Six Months.

2423. MARTHA ASHMAN and MARIA COLLINS were indicted for stealing, on the 22nd of September, 29 yards of printed cotton, value 16s., the goods of Jesse Pim.

EBENEZER RAND. I am in the service of Jesse Pim, a linen-draper, in Barbican. The prisoners came to the shop, between four and five o'clock, on the 22nd of September, and bought half a yard of brown holland—I did not serve them—they went out—I missed a piece of print, and suspected them, I went after them—they had got round the corner of Barbican to Aldersgate-street, and were running together—I overtook Collins, and took from under her apron this piece of print—I gave her to the policeman, pursued Ashman, and just before I overtook her, she threw this other print down Aldersgate-buildings—I overtook and gave her to the policeman—when I got home I found two pieces were missing—these are both my master's.

Cross-examined by MR. DOANE. Q. Which of them bought the holland? A. I did not serve them—I saw them served—I cannot tell which of them took it—I am quite sure I saw Ashman throw this smaller piece away.

FRANCIS BRIGGS. I saw the two prisoners running together—I saw Ashman throw down this print.

(Ashman received a good character.)

ASHMAN—GUILTY. Aged 18. } Confined Three Months.
COLLINS—GUILTY. Aged 16. }

2424. MARGARET CLARK was indicted for stealing, on the 25th of September, 1 bag, value 4d.; 6 sovereigns, 17 half-sovereigns, 6 halfpence, and an order for the payment of 6l., the property of Thomas Rodwell, from his person.

MR. CLARKSON conducted the Prosecution.

THOMAS RODWELL. I am a carrier, living at Bierton, in Buckingham-

5 S

shire. About eleven o'clock on the night of the 24th of September, I met the prisoner, I cannot say where ; as I was drunk—after some conversation I got into a *cab* with her, and drove to Charing Cross—I got out and went down Craven-court—I had about 20*l.* in money when I fell in with her, in sovereigns, half-sovereigns, and a cheque—I afterwards went to Snow-hill with her—when I got there I missed my purse, my money, and cheque, which had been in my left-hand breeches pocket—when I got out I laid hold of her and accused her of robbing me—the policeman came up and I gave her in charge—he afterwards produced the cheque to me—it was the one I had safe in the purse when I went into her company—this is it—I had it from Mr. Strickland, of Newgate Market.

CHARLES PHILLIPS (*City police-constable, No. 20.*) At a quarter to three o'clock on the morning of the 25th of September, I was at the bottom of Snow-hill—I saw the prosecutor and the prisoner struggling together—I asked what was the matter—he said in her presence that he had been robbed of 20*l.*, and gave her in charge—on going up Snow-hill I took from her hand this cheque for 6*l.* 3*s.* 7*d.*, and one half-sovereign—I shook her petticoat and heard some gold chink—I took her pocket from her, and found five sovereigns and fifteen half-sovereigns in it.

SUSANNAH DROVER. I am the wife of a policeman. I searched the prisoner at the station-house, and found one sovereign and one half-sovereign in her mouth, and a half-sovereign in her hand.

Prisoner's Defence. I did not knowingly have in my possession the property—I had been drinking with him from nine o'clock in the evening, and was quite intoxicated—what he gave me I put into my pocket, considering it was silver.

GUILTY. Aged 32.—Transported for Ten Years.

2425. CAROLINE MEARS was indicted for stealing, on the 25th of August, 4 shawls, value 1*l.* 5*s.* ; 2 gowns, value 5*s.* ; 5 handkerchiefs, value 5*s.* ; 2 boas, value 1*l.* ; 1 veil, value 1*s.* 6*d.* ; 4 pairs of shoes, value 8*s.* ; 1 pair of boots, value 1*s.* 6*d.* ; 1 petticoat, value 1*s.* 6*d.* ; 1 gown skirt, value 4*s.* ; 3 frocks, value 8*s.* ; 1 pair of bracelets, value 5*s.* ; 1 pair of stockings, value 1*s.* ; 1 collar, value 1*s.* ; 1 reticule, value 1*s.* ; and 2 pincushions, value 2*s.* ; the goods of John Edward Fisher, her master ; to which she pleaded

GUILTY. Aged 18.—Transported for Seven Years—Penitentiary.

2426. HANNAH BROWN and CORNELIUS QUINLAN were indicted for stealing, on the 13th of October, 1 purse, value 6*d.* ; 33 sovereigns, and 9 shillings, the property of John Johnson, from his person.

JOHN JOHNSON. I am master of the *Lively*, of Clive, in Norfolk. On Monday night, the 12th of October, I met a woman in Rosemary-lane—I went home with her, to No. 2, Crown-court—after I had been there ten minutes we had been talking about having some liquor, and I had just given the money to the woman—the rum was brought in—I received the 9*s.* change—Brown then came in the room with a child in her arms—she remained in the room till the other woman came back—the half-sovereign I sent out was in a purse—I took it out without taking my purse out of my pocket—I had thirty-three sovereigns and a half-sovereign when I went into the house—I took the half-sovereign out, and there were in that pocket thirty-three sovereigns in the purse and 9*s.* after I had received this change—there was then a bustle in the room—the chair was thrown against the bedstead, the candlestick pulled away, and the light put

out—I was twisted right round, and the parties were gone in an instant—I heard something chink on the ground, I could not tell what—I ran after the parties—Brown had been near me, and put her hand into my pocket—I saw her hand go towards my pocket—I had not seen Quinlan—no one had hold of me—it was a moonlight night—the women left the room directly and ran down stairs—I was going down, and when I got half-way I recollected that I had taken my jacket off and left it lying on the table, and in it I had a 50*l.* and a 30*l.* note—I returned to the room and found my jacket—I looked round, and went to a dark landing-place, which leads to another room—I there put my hands over Quinlan's face—I said, "You villain, you have robbed me, and you have got that child that laid on the bed"—he said, "Hold your tongue, you b—, or else I will shove a knife into you"—I did not know what to do—I turned my eyes round the room—he was gone in a minute—I did not see a knife in his hand, but there was some hard substance in his hand, what I cannot say, but he knocked it against me two or threetimes—I saw him no more—he was out of the house in an instant—I am quite positive he is the person I saw on the stairs—I could see him quite plain—he had neither jacket or hat on—I am positive that Brown is the woman.

Cross-examined by MR. PAYNE. Q. Was this the first "lady transaction" you had been in that day? A. Yes—the woman that went to the room with me is not here—I had not been with any other woman that day—I had not been in any room that day—I am sure that Brown is the person who put her hand into my pocket—she stood right alongside of me, and *chucked* the child on the bed—the other woman was on my right, and she was gone also—I never got my money—I was sober—when I first found Quinlan he was in the dark—I could not see him, but as soon as he came to the door-space I saw him go down stairs, and turn into the yard, dangling the child—Brown could see my purse—I did not take it out, but she could see there was a purse—I have lost thirty-three sovereigns and nine shillings altogether—I put the nine shillings into the other part of the purse with my left hand—there was light enough in the room to see the woman who put her hand into my pocket.

JAMES PUDDEPHATT (*police-constable H 68.*) About a quarter past eleven o'clock that night, I saw Brown come up Blue Anchor-yard from Crown-court, and Baynes followed her—Brown passed me, and then ran as fast as she could—she had neither bonnet, or shawl, or child—she did not speak to me or I to her.

Cross-examined. Q. In the first instance you saw Brown and Baines? A. Yes, and Baines asked me if Mr. Driscoll was on duty that night—I said yes, if she went to the right she would find him.

PIERCE DRISCOLL (*police-constable H 24.*) I took Quinlan into custody about twelve o'clock, half an hour after I received the information—he gave the name of Nichols—I said, "I want you"—he said, "What for?"—I said, "Do you recollect the man you attempted to stab with a knife when you had a child in your hands?"—he said, "No, I know nothing about it"—I went to the house—there is a dark place on the landing, which communicates with the room—I found sixpence, and 3*d.* in copper, in the middle of the room.

ELLEN HAYES (*a blind woman.*) I keep this house in Crown-court. Brown came and took a room in the evening, and said her husband worked at the steam-boats—she said Quinlan was her husband—they lived together four days—I heard running up and down stairs and a great noise on

this night—the captain said, “O my God! I am robbed,” three times—I did not know who they were.

MARY BAINES. I live in Crown-court, nearly opposite this house. I know the two prisoners as lodging there—they lived together in the same house—I heard the noise and confusion—I heard some one say, “O my God! I am robbed”—I went to the door, and aroused Mrs. Haines, and asked where Driscoll was, because I thought a robbery had been committed—when I went to speak to the officer I saw Brown close behind me—I was not aware whether she had committed the robbery—she had no bonnet or shawl on.

BROWN—GUILTY. Aged 21. }
QUINLAN—GUILTY. Aged 23. } Transported for Fifteen Year.

2427. GEORGE JONES and JOHN SULLIVAN were indicted for stealing, on the 23rd of September, 1 coat, value 5s.; 1 handkerchief, value 1s.; 1 pair of gloves, value 1s.; and 1 cigar-case, value 1s.; the goods of Thomas Watkinson.

THOMAS WATKINSON. I keep a public-house in the Minories. On the 23rd of September the prisoners came, with a woman—they had a pot of porter—I had come home a few moments before, and hung my coat in the bar—I was absent a short time—when I returned I was told it had been taken—I went out, and fell in with the prisoners at the corner of Petticoat-lane, all standing together—Sullivan had my coat under his arm—this is it—the other articles were in the pocket.

GEORGE BROWN. I was at the public-house, and saw the prisoners with a woman—I saw Jones take the coat, and throw it over his arm—he went out first, and the others followed—I told the landlady, and she told her husband.

Cross-examined by MR. DOANE. Q. After Jones went, did not the others stop and have some beer? A. They called for a pint of half-and-half—he took the coat, and then after he went they drank it.

Jones's Defence. I went to the public-house, but as to stealing the coat I know nothing about it.

(Sullivan received a good character.)

JONES*—GUILTY. Aged 19. }
SULLIVAN*—GUILTY. Aged 21. } Confined Three Months.

2428. HANNAH PERRY and ELIZA RYLEY were indicted for stealing, on the 21st of September, 1 pewter pot, value 1s. 3d., the goods of Thomas Sanders; 2 pewter pots, value 2s. 6d., the goods of James Hobbs; and 2 pewter pots, value 2s. 6d., the goods of George Hart.

WILLIAM HORSFORD. I am a constable. On the 21st of September I saw the two prisoners together in Wimpole-street—I followed them to Baker-street, and I saw Perry take a pint pot from No. 19—Ryley was close to her, and joined her—I then caught Perry, and took from her the pint pot—I asked what she was going to do—she made no reply—I then took Ryley, and from her apron took four more pots—these are them.

THOMAS SANDERS. I am a publican, in Wimpole-street. One of these pots is mine.

JAMES HOBBS. I keep a public-house in Weymouth-street. These pots are mine—we lose a great many pots.

GEORGE HART. I am a publican in Blandford-street, Manchester-square. Two of these pots are mine.

Perry. We had nothing to do ; the pots were in the street ; it is our first offence.

PERRY*—GUILTY. Aged 19. } Transported for Seven Years.
 RYLEY*—GUILTY. Aged 18. }

2429. GEORGE HAINES was indicted for stealing, on the 17th of September, 22 yards of flannel, value 1*l.* 5*s.*, the goods of Samuel Thomas Moore.

FRANCIS BURDETT NORBURY. I am a linen-draper. The prosecutor lives five door from me, in the Mile-end-road—he is a linen-draper also—I saw the prisoner passing my door on the 17th of September, with a roll of flannel—I suspected it was Mr. Moore's—I went to Mr. Moore's, and ascertained he had lost the flannel—I pursued the prisoner, and he saw me following him—he ran off, and dropped the flannel—I did not lose sight of him for more than a moment, when he was turning a corner—when I came up to him he said he was not the person, that the other one had run off, and the other's coat was a different colour to his, but I was certain of his person—I had seen his features before—I swear positively he is the person—there was no other person running.

SAMUEL THOMAS MOORE. I am a linen-draper, and live five doors from Mr. Norbury. This flannel was taken from inside the shop-door—there are forty-two yards of it.

Prisoner's Defence. I was going towards home ; this gentleman accused me of stealing some flannel ; I said a person in a blue frock-coat was running by me with great speed ; he said, " You must know something about it ; " I was not running.

GUILTY. Aged 23.—Confined Three Months.

2430. ROBERT JAMES was indicted for stealing, on the 27th of August, 7 gowns, value 3*l.* 10*s.* ; 1 shawl, value 10*s.* ; and 1 cloak, value 10*s.* ; the goods of Sarah Campbell.

MR. JERNINGHAM conducted the Prosecution.

SARAH CAMPBELL. I am a widow, living in Loraine-place, Holloway. On Thursday the 27th of August I drove home in a phaeton—on arriving at Islington turnpike I found the back of the phaeton open, and a box containing these dresses, gone—they were mine—I had seen them safe about twenty minutes before—it was impossible they could have fallen out—on the following Monday I saw one of the dresses on Mrs. Castiglione, at a Dahlia show, at Rotherhithe—I spoke to her, and gave her in charge—here is the dress—it is mine.

Cross-examined by MR. DOANE. Q. Was any body with you ? A. My servant, and another person—I saw the box these were in after it was put into the phaeton—the lid would not shut quite close—this gown is the only thing found—it is one I have worn.

JANE GUMBRELL. I am the wife of William Gumbrell, and live in Royal-oak-yard, Hatton-garden. On Friday, the 28th of August, I was at Mrs. Castiglione's—she was out that day—the prisoner came into the shop—I was in the back-parlour—he had a bundle, and asked if Mrs. Castiglione was at home—I said, " No "—he said, " Shall I leave this bundle for her till she comes ? "—I said, " Yes "—I took it, and put it into the back-parlour, and there left it—I went away between six and seven o'clock, before Mrs. Castiglione came home—I saw the prisoner when he was taken up, on the Monday following—he said he never brought any thing there, so help him God—I am sure he is the person.

Cross-examined. Q. Had you ever seen him before ? A. I had seen

him in the street before, but never spoke to him, nor did I know his name.

CAROLINE CROWE. I am servant to Mrs. Castiglione, No. 31, Cross. On a Friday I saw the prisoner at the shop—mistress was not at home—Mrs. Gumbrell was there—the prisoner left a parcel—my mistress saw it the next day.

JANE CASTIGLIONE. I had seen the prisoner before—he left this bundle on the 28th of August—it contained four dresses—I took this one dress out and bought it of the prisoner—I was at the Dahlia show on the following Monday, with the dress on, and the prosecutrix saw it—I was locked up, and the next day was discharged.

Cross-examined. Q. Did you know what the prisoner was? A. No—I believe he was honest—I had no reason to know any thing against him.

ISAAC SIBLEY (*police-constable G 86.*) I took the prisoner on the 31st of August.

(The prisoner received a good character.)

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Six Months.

OLD COURT.—*Wednesday, October 21st, 1840.*

Third Jury, before Mr. Sergeant Arabin.

2431. JOHN PEARSON and GEORGE WILLIAMS were indicted for burglariously breaking and entering the dwelling-house of Saunders Phillips, about the hour of one in the night, of the 9th of October, at All Hallows in the Wall, with intent to steal, and stealing therein, 15 watches, value 13*l.*; 9 brooches, value 6*l.*; 3 pairs of ear-rings, value 3*l.*; 4 guard chains, value 6*l.*; 1 watch chain, value 1*l.*; 35 necklaces, value 7*l.*; 29 pairs of spectacles, value 6*l.*; 6 butter knives, value 1*l.*; 3 oz. 5 dwts. weight of gold, value 8*l.*; 3 pairs of saltcellars, value 3*l.*; 3 seals, value 1*l.*; 2 musical boxes, value 4*l.*; 1 basket, value 1*l.*; the goods of Barnett Phillips: 50oz. weight of silver, value 7*l.*; 8 watch movements, value 11*l.*; 60 watch hands, value 1*l.*; 3 rings, value 2*l.*; 1 pencil case, value 2*l.*; and 6 sovereigns, the property of the said Saunders Phillips; to which

PEARSON	pleaded GUILTY.	Aged 27.	} Transported for Fifteen Years.
WILLIAMS	pleaded GUILTY.	Aged 24.	

2432. HENRY SELF was indicted for stealing, on the 15th of September, 1 handkerchief, value 3*s.*, the goods of Duncan Forbes M'Kay from his person; and that he had been before convicted of felony.

DUNCAN FORBES M'KAY. I am a bookseller. On the 15th of September, about half-past four o'clock in the afternoon, I was coming up the steps on the eastern side of London-bridge, and at the top of the steps I felt a pull at my pocket—I turned, and found the prisoner behind me, and my handkerchief dropped almost between his legs—I called, "Police," and seized him by the waistcoat, but he tore it open, got out of my hands, and ran away with a companion as hard as he could—I lost sight of them for three or four minutes—when I came to Arthur-street, I saw him maltreating one of the witnesses—I recognized him, and gave him into custody—I swear positively he is the person—this is my handkerchief—(*looking at it.*)

CHARLES PALMER. I was walking under the archway, across Thames-street—I heard voices shouting, "Stop thief" very loud, and the prisoner came running down the steps as hard as he could—he came butt against me.

and turned me round—conceiving there was something wrong I followed him up the next flight of steps, and saw him wending among the *cabs*—I went to the end of the *cab*-stand, came abreast of him, put my hand up, and said, “Stop, the police are after you”—he immediately struck me very violently in the face, and hit me right and left—several gentlemen surrounded him, and laid hold of him—he tried to wrest a stick from a bystander, and said, with dreadful imprecations, that if he could have got it, he would have laid me low, for I had been too long on the face of the earth—the police took him to the station-house, but he behaved so violently, even when he had the handcuffs on, that I was afraid to come near him.

Prisoner's Defence. I had been at work, and was going to call on my sister; I met a young man, and had a glass too much; as I was coming over the bridge, there were two labourers before me; the gentleman turned round; his handkerchief laid on the ground; he accused me of picking his pocket, but he cannot say he saw me throw it down.

JOHN BLANDINLEY. I was formerly inspector of the London and Birmingham Railway police—I got this certificate from Mr. Clark's office—(*read*)—I was a witness on the trial—the prisoner is the person who was then convicted.

Prisoner. I never saw that gentleman before. *Witness.* I was the person who took him, and was in Court when he was tried.

GUILTY. Aged 18.—Transported for Fourteen Years.

2433. JOHN SULLIVAN was indicted for stealing, on the 3rd of October, 1 purse, value 1s. 6d.; 16 sovereigns, 2 half sovereigns, and 1 £10 Bank note, the property of Matthew Golightly, in a vessel in a port of entry and discharge; and that he had been before convicted of felony.

MATTHEW GOLIGHTLY. I am master of the brig *Ocean*, lying in the West India Dock, which is a port of entry and discharge—the prisoner was my cabin-boy. On the 3rd of this month, I went to bed about half-past ten o'clock, leaving my trowsers on a chair next my bed, and in the pocket a purse containing a 10l. note, sixteen sovereigns, and two half-sovereigns—I was called up about half-past seven o'clock next morning—my purse and money was then gone, and the prisoner also—I went to his friends, but he was not there—his mother gave me up a sovereign, and his sister a half-sovereign—I found him in custody at the station-house, about one o'clock—he had a new suit of clothes on—this is my purse—(*looking at it*,) and the one the money was in—I have recovered the 10l. note, fourteen sovereigns and one half-sovereign—the prisoner's wages were 25s. a quarter.

CHARLES HAGAR (*police-constable K 271*.) I went with the prosecutor, the prisoner's parents, in Pitt's-place, Bankside—I waited outside while he went in—while there I saw the prisoner pass the end of a court, and from the description I had received, I pursued him some distance—he ran into a private house—I followed him and took hold of him—I asked if his name was Sullivan—he said yes—I asked what ship he belonged to—he said, “None at all”—I found this purse, a 10l. note, and thirteen sovereigns on him—he had a new suit of clothes on.

Prisoner's Defence. I found the purse by the side of an old bucket when I went down to clean the cabin, and put it into my pocket—master had been ashore, he came home drunk, and left the money about on purpose to tempt me.

WILLIAM KINNER. I am a policeman. I got this certificate of the prisoner's former conviction from Mr. Clark's office—(read)—I was a witness in the case—the prisoner is the person who was then tried and convicted. j

GUILTY. Aged 15.—Transported for Ten Years.

Before Mr. Justice Bosanquet.

2434. THOMAS HUSSEY, *alias Thomas Hartley Hussey*, was indicted for forging and uttering a bill of exchange for payment of 40*l.*, with intent to defraud William Thompson.—2 other COUNTS, for forging and uttering an acceptance thereon.

WILLIAM THOMPSON. I am an officer of the Sheriff of Middlesex. The prisoner was in my custody two or three months back, for debt—he requested me to release him—I asked him on what security, and he tendered me a bill of exchange—I told him I would not take it unless Mr. Crotty would put his name to it, knowing Mr. Crotty to be a friend of his—some hours afterwards he produced the bill, with Mr. Crotty's name to it—I took it with the understanding that he was to redeem it again in a short time, and I released him—I afterwards showed it to Mr. Crotty—it is not here—I do not know where it is—I gave it to a person named Thompson, who paid me the money a few days after I received the bill—I do not know whether the prisoner had then been charged with knowing the bill to be forged—it was not due when it was paid—I had seen the prisoner on passing his window, between the time the bill was given me and its being paid, but I had no conversation with him.

JOSEPH WILLIAMS. I am clerk to Mr. Crotty, of Sergeant's Inn. On the 24th of July I saw Thompson, the officer, at Mr. Crotty's—the prisoner also came there that day, but not in company with Thompson—the prisoner said he was sorry for it—I had not charged him with forgery, nor had any one else in terms—there was a general conversation—I wanted him to go to Mr. Crotty's Chambers—he said, "You cannot detain me"—I said, "I know that, but if you attempt to go away, I will give you in charge."

NOT GUILTY.

2435. JOHN QUIN was indicted for feloniously killing and slaying James Quin.

CHARLES OSBORNE. I am a carpenter, and live at Chelsea. On the 31st of August, I heard a disturbance in Exeter-buildings—I went there and saw a great number of men making a disturbance, and fighting—I saw the prisoner there, and James Quin—I did not know them before—I saw the prisoner fighting with a lot of others, and when the fight was over his brother was fighting with two or three more men, and the prisoner threw a stone or brick at him; whether he meant to throw it at him, I do not know, but it hit him on the head—there were two or three more near him, fighting all together—the prisoner was jumping about with his arms up—I could not understand what he said—there was a great disturbance—James Quin put his hand up to his head when the stone was thrown and fell down—the prisoner was four or five yards from him—I could not tell whether they were drunk or sober—some were drunk—the beginning of it was the prisoner wanting a man named Jerry Hayes, to come out of a house, and when he came out they commenced fighting—the deceased was taken into a house—I afterwards saw him dead, and saw his body at the inquest.

Cross-examined by MR. BODKIN. Q. Were you there when Jerry Hayes

came down to the neighbourhood? *A.* No—there was a great deal of confusion, and bricks and stones flying about from one party to the other—I did not notice whether the prisoner was struck by a stone—it might have happened without my seeing it.

JOHN FIDLER. I am a fishmonger, and live at Brompton. I heard the disturbance in Exeter-buildings—I went and saw the prisoner, whom I have known four years, and his brother James also—I saw a lot of them fighting—after the fight was calmed a little, James and John came towards the top of the court—another man came up to James, and said, “Do you know me?” calling him by his name—James said, “Yes,” and made a strike at him, which the other man warded off—they directly closed, and got fighting—the prisoner stood by the side of them, three or four yards off, and heaved a stone with his right hand, and as his brother was fighting with the other one, they turned round, and the stone caught James on the side of his head—the prisoner turned round, ran into a house opposite, and shut the door—I believe the Quins are bricklayers’ labourers—the stone was thrown at one, I cannot tell which—I did not see him pick it up—I saw it in his hand—when I went down there was a great many of them fighting, seemingly most upon one person—I do not know who—the prisoner and his brother were both there at that time, and seemed both of one party.

Cross-examined. Q. It was a regular Irish fight, one side composed of one set of men, and another the other? *A.* I did not see them divided—I do not know Hayes—I have heard his name—one of the Quins lives in the court.

RICHARD BANCE. I am a confectioner, and live at Chelsea. I know both the Quins—James lived near Exeter-buildings—I was standing at my own door, between six and seven o’clock, and saw the prisoner and another party going down the street, jumping and making violent gestures, throwing their arms about—the prisoner was a little the worse for liquor, but not much—they went into the buildings, and I followed—there were two distinct parties—the two Quins were of the same party—*Jerry Hayes’s* party was in a house higher up the buildings—Quin’s party challenged the others to come out, Hayes’s party came out, and each party began to fight indiscriminately—Quin’s party had the best of the fight—they were fighting with any weapons they could get hold of, stones, fists, or kicking, any thing to injure one another—Hayes’s party was driven into the house—one man was left, who did not go in—he was on Hayes’s side—James Quin and that man said something to one another, and immediately began to fight—the prisoner was standing behind his brother, with a stone in his hand—I have no doubt but that he threw it at the opposite party; but just as the stone went out of his hand, the men shifted their position, and the stone took effect on his brother’s head—there were plenty of stones and brickbats lying on the ground—James was about the soberest of the party, and did not appear to be hurt by any thing before—he fell down directly the stone hit him, and as taken in to No. 11—the stone was about the size of a half-pint mug—it was rather a flat piece of paving-stone—some of the party had been going to Ireland that day, and they generally have a drinking *bout* on such occasions.

Cross-examined. Q. Do you know whether Hayes’s party reside on that spot, or came from a distance? *A.* They came from the New-road, and went into this house—some were Connaught and some Munster men

—I was looking at them for about a quarter of an hour—they were in a tremendous state of excitement, more like cannibals than human beings.

EDWARD DICKINSON. I am house-surgeon at St. George's-hospital. I saw the deceased there on Thursday, the 3rd of September—he had a compound fracture of the skull on the right side—the bone was depressed—the operation of trephining was performed, and the bone removed—he was very little relieved by the operation—on Friday the symptoms still continued—I considered him in a dangerous state—on Saturday, on making a more minute examination, another portion of the bone was removed, and a piece of stone was found underneath the skull, about the size of a hazel-nut—it was between the skull and the *dura mater*—he never rallied, but got gradually worse, and died on Monday morning, about eight o'clock—I afterwards examined his body—I think his death was caused by inflammation of the membrane of the brain, occasioned by the presence of some foreign body under the skull, probably the stone—but there was a portion of bone depressed as well—the stone must have come through the skull from the wound—there was no other way.

Cross-examined. Q. How many days elapsed from the infliction of the injury till you saw the deceased? A. On the morning of the third day—I think the inflammation was actively going on when I first saw him—if medical assistance had been at hand at the time the injury was inflicted, perhaps it would not have necessarily been mortal, but I think it was always very dangerous—I was informed by his wife that he was very weak, and she had been giving him beer, and he also went to his work the day after the accident, both of which were calculated to increase the inflammation.

(The prisoner received a good character.)

GUILTY. Aged 33.—Confined Three Months.

Before Mr. Justice Erskine.

2436. JAMES DAVIES was indicted for burglariously breaking and entering the dwelling-house of Jasper Fletcher, about the hour of ten in the night of the 17th of September, with intent to steal, and stealing therein 7 half-crowns, and 6 shillings, his monies.

JASPER FLETCHER. I am a green-grocer, and live in White Lion-street, Chelsea. On Tuesday evening, the 15th of September, I left my house about half-past five o'clock—I left no one in the house—the front door was fastened by a padlock—I returned about eleven o'clock, and entered at the back door, which was padlocked as I had left it—I found the back window had been opened by breaking one square of glass about four inches from the button which fastened it—a person could reach in and undo the button, and open the window—I examined, but missed nothing there—on Thursday night I missed seven half-crowns and six shillings, which I had seen safe on the Monday night in the top room, in a pot in the middle of the room—there are only two rooms to the house—I had not looked into the pot between the Monday and Thursday—I have never seen the money again, having no mark on any of it—I examined the window on the Thursday in consequence of missing the money, and found soot from the top of the window to the bottom, at the edge, and on the window-sill and sash—the mark on the sill was as if a foot or knee had been put on it—the prisoner is a sweep, and lived about five yards from my house—facing it.

JAMES MILLIGAN. I am a sweep, and work for Mr. Watson—the prisoner also worked for him. On Thursday evening, the 17th of September

he came home with a bundle under his arm—I asked him what he had got—he said, “A pair of new trowsers and a waistcoat”—I opened it and saw them—I asked where he had got them—he said he had borrowed the money of Mrs. Molloy in Westminster, and had bought them with it.

FRANCIS HORNER. I live at Watson's. On Thursday evening, the 17th of September, I met the prisoner, and went with him to Broadway, Westminster—he left me there, and said he was going to borrow some money—I afterwards saw him buy a waistcoat and trowsers, and pay four half-crowns for them; he also got his coat out of pledge, which he paid half-a-crown and one shilling for, and bought a cap, which he told me he gave 1s. for—he bought the duplicate of a shirt of me for 1s.—he never told me where he got the money.

JAMES BRADLEY. I am a policeman. I apprehended the prisoner on the 17th of September, and told him he was charged with breaking and entering Fletcher's house—he denied it—a jacket and trowsers were given to me, which I afterwards showed to him—he said he gave 3d. for these braces in George-street, 6d. for this cap in Grosvenor-row, 2s. 6d. for the trowsers, 2s. for the waistcoat, and 2s. he gave to redeem the jacket—he said he had found a half-sovereign in Lower Sloane-street, and changed it at the Nag's Head public-house—I afterwards examined Fletcher's back-parlour-window, and found a quantity of soot outside on the flower-pots, on the window-sill, and window-frame—there was the print of naked toes on the window-sill, apparently those of a small person.

ELIZABETH BUGBEE. I live in Cottage-court, Orchard-street, Westminster. I know the prisoner—he called on me by the name of Molloy—I did not lend him any money in September, nor ever in my life—I do not know any other person called Mrs. Molloy.

NOT GUILTY.

Before Mr. Justice Bosanquet.

2437. WILLIAM WORLEY was indicted for burglariously breaking and entering the dwelling-house of William Leake, about three in the night of the 10th of October, at St. Marylebone, with intent to steal, and stealing therein, 2 coats, value 4l.; 1 seal, value 1l.; and 1 handkerchief, value 3s.; the goods of John William Berry: and 1 clock, value 5l., the goods of William Leake.

MR. PHILLIPS conducted the Prosecution.

SAMUEL MOYES (police-constable C 45.) On Sunday morning, the 11th of October, about twenty minutes after three o'clock, I was on my beat, and passed by No. 45, Upper Harley-street—it is a corner house, and the door is in Devonshire-street—I found the door about two inches open—I shoved it open further, and saw a candlestick standing in the hall, but the candle was burnt out—the tallow in it was quite warm—I rang the bell—Mr. Berry came down—we examined, but could not find out how the house had been entered—I made a report to my sergeant, and afterwards returned to the house, and saw the bar of the kitchen window broken, so that a person could have entered.

Cross-examined by MR. SIMMONDS. Q. Did not the prisoner's wife live here as housekeeper? A. As cook, I believe.

WILLIAM BALL. I am servant to Mr. Berry, an attorney, living at No. 45, Upper Harley-street, in the parish of Marylebone. Mr. William Leake is the landlord of the house, but he does not live in it—the prisoner's wife was cook in the house, and I have seen him there a good many times, but had not seen him inside the house for the last three months—he had directions not to come—on Saturday, the 10th of October, at half-past eleven

o'clock, I took the bed-room candlestick to my master, and then locked, barred, and chained the front-door—I slept in a room on the basement—between three and four in the morning, the policeman rang me up—I found Mr. Berry up—I examined the house and missed a clock, two coats, and a seal—I missed some tea-spoons out of the kitchen—I found a spit on the dresser, and four lucifer matches on the kitchen table—when I went to bed the iron bars in front of the kitchen window were all quite safe, to the best of my knowledge—I was in the area in the course of the day, and they were quite safe then—when I went to bed that night the kitchen windows were down and the shutters shut—in the morning I found the shutters shut, but on opening them I saw the iron bar broken away—it would require great force to wrench it—there was a great log of wood there, as if the bar had been wrenched off with it—I never saw the log before.

THOMAS PARSONS HONEY. I am a policeman. On Sunday morning, the 11th of October, I was on duty in Weymouth-street, and saw the prisoner about one-eighth of a mile from the corner of Upper Harley-street, at the corner of Portland-road—as soon as he saw me he turned round in a different direction and went down Charlotte-street—I met him at the bottom of the road—he was carrying something on his left arm, and a bundle in his right-hand—he asked me if there was a coach on the rank—I was in my uniform—he said he wanted to take a coach to London Bridge to take the first steamer to Gravesend—I asked what he was carrying—he said, “It is my own,” and walked on—I stopped him, and took two coats off his left arm, and asked if they were his own—he said they were—I shook one of the coats and heard halfpence rattle—I asked if there was anything in the pockets—he said there was nothing—I found three halfpence and a pair of gloves in one pocket, and a silk handkerchief in the other—I asked what he had in the bundle—he said a clock—I asked if it was his own—he said it was, he had had it four years—I asked if there was any name on the clock—he said his own name was on it—I said, “If you have had it four years, tell me the maker’s name which is on the front”—he said, “I know nothing about that”—another constable came up and he was taken into custody—as we went along with him to the station-house he said, “If you will let me alone, and say no more about it, I could drop you a few shillings”—I asked his name—he said, White, 30, Melcombe-mews, Dorset-square, and that he had brought the property from there—I inquired there and he was not known—I returned to the station-house, searched him, and found on him five silver spoons, two watch seals, a key, a finger ring, four keys on a ring, a pocket-book, two letters, a razor and case, a box of lucifer matches, and a snuff box—I went to Mr. Berry’s house and saw the window—I found a piece of wood in the area, and marks on it, which I matched to the iron bar of the window where it was wrenched—it corresponded exactly.

RICHARD EDMONDS. I am clerk to Mr. John William Berry, who lives in the house by permission of Mr. Leake, the proprietor. I know this clock to be Mr. Leake’s—I have wound it up many years—I know this to be Mr. Berry’s seal.

WILLIAM BALL *re-examined.* I know these coats and this handkerchief to be Mr. Berry’s—Mr. Leake comes to the house occasionally—his maid servant lives there.

(William B. Gapper, Portland-road, and James Grant, messenger, gave the prisoner a good character.)

GUILTY. Aged 41.—Transported for Ten Years.

Fourth Jury, before Mr. Recorder.

2438. WILLIAM BRAXTON COOPER was indicted for stealing, on the 9th of October, 6 oxen, value 60*l.*, the goods of Thomas Kenrick, his master.

FREDERICK HARRIS (*City police-sergeant, No. 206.*) On Friday morning, the 9th of October, I went to Smithfield, and saw six Scotch oxen tied up in a particular spot—in consequence of something I had heard, I questioned the salesman—in consequence of what he told me I waited about some time, a little distance from the beasts, to see if the person who had brought them would return, and about two o'clock I went to the horse-market—I also went to Hill and Sons, the bankers, and told them to stop the money and detain the party—I was sent for about a quarter-past nine next morning by Mr. Hill, saw the prisoner there, and took him to the station-house—I asked him his name—he said William Braxton, and that he was a farmer at Romford—I asked him if he could give me any reference in London as to who he was—he said no, he made no acquaintances, and did not know any one—he offered to go with me to Romford to show me the farm, and thinking he might be a respectable man, I took him to my own house, changed my clothes, and went with him—when we got to Whitechapel, on my agreeing with a spring van to take us, as there was no coach, he said it was too dear, he would go by a fly—we went a little distance, and he then said he would give me 5*l.* if I would make it all right—I said, “5*l.*”—he said, “D—my eyes I will give you 10*l.*”—I said, “What for, what am I to do?”—he said, “You can go down to Crow Farm, and come back and say it is all right”—I immediately said, “You are my prisoner, consider yourself in custody”—I took him back to the station.

Cross-examined by MR. PAYNE. Q. What was the hour when you first saw the beasts in the market? A. About eleven o'clock—there was no one with them but the salesman—I have been in search of a man named John, who was formerly the prosecutor's servant, but have not been able to find him—I went to look for him, in the first instance, in consequence of what was told me by the salesman—the prisoner said he should not like to be disgraced by my going down to Romford with him—I asked him if he kept the farm there, and he said no.

JAMES JOHN BRADY. I am a drover, and live in Brandon-street, Walworth. On Friday morning, the 9th of October, between nine and ten o'clock, six beasts were brought to me to tie up in the market—I did not see the prisoner when the beasts came—I did a quarter of an hour after—he was brought to me to know whether I had tied the beasts up or not—he asked me where his man was—I said, “Over the way, having some bread and cheese”—we went over to the public-house, and he asked me my employer's name—I told him, “Edwin Bartrum, salesman, in Lock's-fields, Walworth”—I got my master's direction written out, and likewise the prisoner's—he said his name was Braxton, and he came from Romford—he asked if the beasts were sold, where he was to apply for the money—I told him at Hill and Son's, 17, Smithfield—my master pays money there when things are sold.

Cross-examined. Q. There was a man there that brought the beasts to you? A. Yes—I do not know his name—we saw him in the public-house—I have not seen him since.

EDWIN BARTRUM. I am a salesman, and live in Lock's-fields, Walworth. On the 9th of October, about half-past nine o'clock in the morn-

ing, the prisoner had six beasts tied up at my rail in Smithfield—he said they were his, and wished me to sell them—he asked me what they would make—I said they might come to about 8*l.*, or 8*l.* 10*s.* a piece—he said he should wish to have them sold, for he was short of keep—I asked him if I was to give the money and bill to his man, or leave the money in the banking-house—he said he would call for his account on the Monday following—I sold the beasts about two o'clock the same day, at 8*l.* a piece, and paid the money at Hill's—I made a communication to Mr. Hill, and told him to take particular care before he paid the money, as I could find no such person lived at Romford, and if they thought proper to detain him.

Cross-examined. Q. Where was it you first saw the prisoner? A. Just in Smithfield, Giltspur-street way—he came to me after my man had spoken to me—I had some conversation with the man who brought them in the public-house—I asked where his master lived, and he said at Romford—the prisoner was the first person I saw.

PHILIP HILL. I am son of Mr. Hill, a banker, in Smithfield. On Saturday, the 10th of October, about a quarter after nine o'clock in the morning, the prisoner came there, and asked for the account of six beasts sold by Mr. Bartrum for Mr. Braxton—I went to the drawer for the bill, and there was a notice appended to it that the money was to be stopped—I went and inquired what for, sent for a policeman, and the prisoner was taken.

THOMAS KENRICK. I live at Oxgate-farm, in the parish of Wilsden, Middlesex—the prisoner was my bailiff—he did not live near Romford—I went down to Margate on the 6th of October, leaving all my stock in the prisoner's charge, sheep and cattle of every description—I never gave him orders to sell any thing—I had only bought these oxen at Barnet Fair—they were at Bloomfield farm, Hendon, about a quarter of a mile from Oxgate farm—the prisoner lived in a house on that farm—I afterwards saw these six beasts at St. George's, Southwark—they are Scotch oxen—I gave 10*l.* a piece for them—the prisoner was with me when I bought them, on the 6th of September, and drove twelve of them home—he had no authority to remove them for any purpose.

Cross-examined. Q. Had you a man named John in your employ before the prisoner? A. Yes—the prisoner was four or five months in my service—I had a good character with him, and trusted him to count my stock every day—I never knew any thing wrong of him—I have been robbed repeatedly—I cannot find John—they have got him out of the way—I came to town on the Saturday evening—the prisoner was taken that morning—Bloomfield farm was the proper place for these cattle—they had liberty to range the fields there—there are two outer gates, and I gave the prisoner two locks to lock them—I have since examined one gate, and the staple is drawn, as my man tells me—John was only with me a few months—we had an altercation, and he left—the prisoner had all the keys—I have got the beasts back—Brady has seen them in my possession.

JAMES JOHN BRADY *re-examined.* I saw the beasts in possession of Mr. Kenrick's man on Saturday morning last, coming from St. George's market—they are the same as were sold at Smithfield.

Cross-examined. Q. How did you know them again? A. By the brand mark on the loin, which is a patch of tar—it was no particular shape—I knew them by a mark I put on them myself afterwards, three clips of the *tut* and "W" on the rump—I know my own mark—I have marked

others the same way for a Mr. Wiseman, but not latterly—I always put the mark of the person who employs me.

THOMAS KENRICK *re-examined*. I have no beasts marked with the W in the manner the witness says, besides those six which I lost—they have been so cut about, they are not worth so much by 6*l.* a beast, as they were before.

(William Ingle, jun., a linen-draper in Shoreditch, gave the prisoner a good character.)

GUILTY. Aged 34.—Transported for Ten Years

2439. **WILLIAM NIXON** was indicted for burglariously breaking and entering the dwelling-house of John Westbeach, on the 26th of September, at St. John, at Hackney, with intent to steal, and stealing therein, 7 spoons, value 1*l.* 1*s.*, his goods; 1 umbrella, value 1*s.*; 1 pencil-case, value 3*s.*; 3 shillings, and 1 sixpence; the property of Mary Ann Saunders.

JOHN WESTBEACH. I live in Queen's-terrace, Queen's-row, Dalston, in the parish of St. John, at Hackney. On Saturday, 26th of September, I went to bed a little after eleven o'clock, I bolted the door, the windows were all fastened and every thing safe—next morning I was called up about a quarter past three o'clock, by the policeman—on going into the back kitchen, I found every thing in disorder—the dresser drawers were ransacked, and the panel of the window shutter cut open sufficient to admit an arm through—a pane of glass had been broken previously to admit a finger to undo the hasp—I went into the parlour—the sideboard cupboard had things taken out and put in the centre of the room—some plated candle-sticks had the paper which they had been in, torn off—two mustard spoons and five tea-spoons were gone from the kitchen—a leg of mutton was taken from the safe—I missed some whiskey from a decanter in the parlour, and found about a quarter of an ounce of gunpowder on the mantle-piece, screwed up like snuff—on the kitchen table a coffee-pot stood, which had been cut to see if it was silver, it had been taken off the dresser, and a metal milk jug had the handle torn off to see if it was silver—I went with the constable to Richmond-road, outside my garden, and found the prisoner in custody—he had my servant's umbrella in his possession at the time.

Cross-examined by Mr. DOANE. Q. Were you the last person who went to bed at night? A. Yes—I saw that all was safe below—I bolted the doors myself—the umbrella was the only thing found on the prisoner.

MARY ANN SAUNDERS. I am servant to the prosecutor. On Sunday morning, the 27th of September, when I went down I found every thing in disorder, and out of its place—I missed an umbrella from the kitchen, and a silver pencil case, and 3*s.* 6*d.*, from my work-box, a leg of mutton from the safe, which I saw at Worship-street—I had noticed my fellow-servant cut it so, that I could identify it.

Cross-examined. Q. Could you swear to the umbrella? A. Yes—I have had it twelve months—I know it well—master's little boy broke the handle off.

ALFRED LEAMAN. I am a policeman. On Sunday morning, the 27th of September, about three o'clock, I was on duty near Queen's-row, Dalston, and coming up towards Queen's-terrace, I could see Richmond-road—I heard footsteps, and saw the prisoner walk across the road, I went up to him and asked him what he was after, and why he crossed the road—he said he went there to ease himself, but went across, as he thought I should

blow him up—he had a leg of mutton under his arm, and an umbrella in his hand—he said, “Do you want to know what I have got here? I can soon show you”—he undid the handkerchief, and showed me the mutton—I asked where he got it—he said at Clapton—I asked where from—he said from his master, who was a butcher, and he was a butcher also—I called my brother constable, and left the prisoner in his charge, and searched the backs of the houses—when I came to the prosecutor’s, I found the door of the wall down and lying in the yard, and a piece of glass broken in the window, which was up—I called the prosecutor up, and found the house in confusion—I took the prisoner to the station-house, and in going along he said he was not a butcher—I found on him a box of matches, a comb, a tobacco-box, 6d., and 2 halfpence—I went back to where I had stopped him, and found a *jemmy*, and a strong gimlet, which would make the holes in the shutter—it corresponded with it, and there were marks of the crow-bar by the side of the window frame—there were footmarks in the back garden, which exactly corresponded with the prisoner’s shoes.

Cross-examined. Q. How did you try his shoes? A. I covered the footmarks over with wood until the morning, and then tried them in company with the sergeant—I tried them with the nails—I put them in very easy—I did not make a mark with them—I noticed the mark before I applied the shoe to it—I looked at the bottom of his shoe before I put it down, and it appeared to correspond with the impression before I put it in, and it fitted when I put it in—there were footmarks of different persons.

GUILTY.* Aged 21.—Transported for Ten Years.

2440. JAMES AYLING and WILLIAM CARNEY were indicted for stealing, on the 19th of September, 1 handkerchief, value 4s., the goods of Thomas Apperley, from his person.

REV. THOMAS APPERLEY. I am curate of St. Paul’s, Shadwell. On Saturday afternoon, the 19th of September, about three o’clock, I was going along High-street, Shadwell, and near the end of Angel Gardens. I missed my silk handkerchief from my coat pocket—my attention was called to it, and I returned with a boy, but not at the time.

WILLIAM CARROLL. I live with my father in King William-court. Cable-street. On Saturday, the 19th of September, I saw the prosecutor in High-street, and the prisoner Carney there—I did not see Ayling—I saw Carney go behind the prosecutor, put his hand in his right hand coat pocket, and take the handkerchief out—he *shoved* it into his jacket, and ran down Angel Gardens—Ayling was along with him when he took it—he was behind Carney, and they ran away together—I told the prosecutor, and he went back—I went with a policeman to look for them—(*looking at his deposition*)—this is my mark—it was read over to me before I signed it—I saw Carney take the handkerchief—I mean the tall one—(*pointing to Ayling*)—I saw the tall one take the handkerchief out of the gentleman’s pocket and run away down Angel Gardens—the short one ran after him—I never saw the prisoners before.

JAMES HAWKRIDGE (*police-constable K 199.*) I apprehended Ayling in a coffee-shop in High-street, Shadwell, about six o’clock that evening, about 200 yards from where the handkerchief was taken—I asked him where the boy was that was in company with him—he said he had no one in company with him.

WILLIAM GREEN (*police-constable K 193.*) I apprehended Carney

on the 19th of September, in High-street, Shadwell—I knew him before, and had seen him and Ayling together several times—I saw them about the highway all that day, and about half-an-hour before the prosecutor spoke to me, they passed me in High-street.

Ayling. He said he saw Carney run away down Angel-gardens, and me after him. *Witness.* I said nothing of the kind.

Carney's Defence. I had been to Blackwall to see my brother off to Gravesend at the time they say this happened—I returned at half-past five o'clock, and the policeman took me.

Ayling's Defence. I met a person in the highway, who asked me to carry a bundle to the steam packet wharf for him—I came back to the highway about four o'clock, and about five went into the coffee-shop to get tea, when the policeman took me.

NOT GUILTY.

NEW COURT.—Wednesday, October 21st, 1840.

Fifth Jury, before Mr. Common Sergeant.

2441. JAMES FORD and EDWARD COTTRELL were indicted for stealing, on the 3rd of October, 96lbs. weight of whalebone, value 8l., the goods of William Johnson Smith and another, the masters of the said James Ford.

MR. DOANE conducted the Prosecution.

HENRY CLARKE. I am in the service of Smith and Fenn, whalebone-manufacturers, Aldersgate-street, and have been so five years and a half—Ford was in their employ, and had been very nearly six years. One morning, six or seven months ago, he came and asked where my master was—I said, “Up at breakfast”—he said, “We might have a dozen or two of bones”—I asked what he was going to do with them—he said he could find sale for it—some time after he said the same again—about the middle of that day he asked me to go with him, and at night I went with him to Cottrell's, in London-wall—Cottrell was in bed—we went to a public-house to have a pint of beer, and Cottrell came in—Ford asked if he would come down for some bone in the morning—Cottrell said he would, and he came in the morning about ten minutes after seven o'clock—I gave him between five and six dozen of bone—on Friday morning, the 2nd of October, Cottrell came there, and Ford gave him some bone, that evening I and Ford went to Cottrell's, he gave Ford 2l. 10s., and said if we had got any more bone he could get rid of it—Ford told him to come the next morning, the Saturday, and he came about twenty minutes past eight o'clock—my master was up stairs—Ford, John Merison, and I were on the premises when he came—I told Merison to go down, and wash his master's basin, because we wanted to get him out of the way—he went down the warehouse—when he was gone I gave Cottrell between four and five dozen of bone—Ford was at that time in the warehouse—I was in the shop—Cottrell went off with the bone I gave him—Ford was about thirty yards from me—he could see plainly what was going on—on that evening when Ford came back from his tea he gave me 30s.—he said that was my share—he did not say any thing else—I had had no other dealings with Ford—there was no transaction between the Friday evening when we got the 2l. 10s., and the Saturday evening when I received the 30s.—I was taken into custody, and admitted to give evidence, and have now come from the Compter.

Cross-examined by MR. JONES. Q. Did you, in the first instance voluntarily make this statement? A. Yes—I went and told my master all that I have told to-day—he said he had been robbed, and I must know something about it—then I told him about it—he said if I would tell him where the receiver was, he would do all he could to shield me, that I should come to no harm—I made him promise that before I said a word to him—he first spoke to me on the subject, and called me into his counting-house—I after that went to Guildhall—when they asked if I wished to say any thing. I said, “No”—I was not asked to be sworn and give my evidence, that I know of—I cannot swear whether I refused to be sworn or not—I was asked if I wished to confess—I said, “Yes, my master had promised to forgive me”—the Alderman said my master had nothing to do with it, did I wish to say it, and I said, “Yes,” and then I was sworn—that was on Monday fortnight, the day my master spoke to me—Ford’s place is nearly at the end of the warehouse, about forty yards from the shop—there are folding doors between the shop and warehouse—they are almost always open—my place is near the counting-house.

JOHN MERISON. I am in the prosecutor’s service, and have been so two years. On Saturday morning, the 3rd of October, I was in the warehouse with Ford and Clarke—Ford wanted me to fetch some gin about ten minutes past eight o’clock in the morning, and I would not, because I thought they were about doing wrong—I said I had my master’s counting-house to do out—I was cleaning it—Ford came back, and asked me why I did not go to the Still public-house—I said I had the counting-house to do, Mr. Smith, my master, would be down directly, and would be angry with me—Clarke told me to go and clean the governor’s washhand basin, which Clarke generally did himself—I took it down in the warehouse, and peeped through a hole—I saw Ford go to the shop-door, and stand there—I peeped under the scraper’s bench—Ford came down the warehouse—I took the basin up—Ford said, “It is not half washed, a bit of soap will soon get that off”—I said, “It is not my place to wash it, I shall not do it”—I was walking down the warehouse, and saw a man go out with a load of bone on his shoulder—I only saw his back.

WILLIAM EVANS. I am assistant to Thomas Evans, an umbrella-maker in Silver-street, Falcon-square. About one or two o’clock on Saturday the 3rd of October, Cottrell, who was in our employ, came to our warehouse about some work that he had out, and he asked if we could buy some bone, about six or eight dozen—I asked what lengths they were—he said, “The usual lengths”—I said he might bring them (we have bought of him several times)—he brought them that afternoon I gave him 6*l*. 1*2* 6*d.*, which was 17*s.* a dozen, 2½ per cent. off for cash.

COURT. Q. Is that the proper price? A. No, the average price is 21*s.*—they were heavier than we use them, and were not cheaper to us than if bought in the regular way—he had worked for us some time making umbrella frames—I never was in his house except in the lower room—I have been there several times—it is in Cross Keys-court, London-road—he said he was commissioned by a person named Watson to sell some whalebone—that was on a former occasion—I had an invoice given me this is it—(looking at it)—it is receipted by Cottrell—(read)—“October 1840. Mr. J. Evans, bought of Edward Cottrell, eight dozen of umbrella bones, at 17*s.*—16*l*. 16*s.* Discount, 3*s.* 6*d.* Received—Edward Cottrell.”

Cross-examined by MR. CLARKSON. Q. You had known him three years and a half? A. Yes, if I had not thought him honest I would have

had no dealings with him, nor if I had thought the whalebone was worth more.

CHARLES WALLER (*City police-constable No. 201.*) On Monday morning, the 5th of October, I went with Clarke to Cottrell's lodgings, in Cross Keys-court, London Wall. I found him there—I said, "Cottrell, you are charged with stealing whalebone from Smith and Fenn's, in Aldersgate-street"—he said, "I know nothing about it"—I asked if he knew Clarke—he said, no, he did not—I asked if he had any whalebone in his house—he said yes, but it belonged to Mr. Evans, by whom he was employed—I asked if he had bought any whalebone on Saturday, or sold any—he said he had not sold or bought any since last Christmas—I found no property in his house.

GEORGE FARROW (*City police-constable, No. 223.*) I took Ford on the Monday—he said he knew nothing at all of the circumstance.

Cross-examined by MR. JONES. Q. Was not what he said that he knew nothing about any bone being taken out of the house? A. Yes.

WILLIAM JOHNSON SMITH. I have one partner, we are whalebone manufacturers in Aldersgate-street; we have lost a great deal of whalebone for two or three years, at various times.

COURT. Q. Was the whalebone you lost on the 3rd of October of the usual length? A. Yes.

MR. JONES. Q. Ford had been between five and six years in your employ? A. Yes, constantly, we did not suspect him.

(Ford received a good character.)

FORD—GUILTY. Aged 33.—Confined One Year.

COTTRELL*—GUILTY. Aged 36.—Transported for Seven Years.

First Jury, before Mr. Common Sergeant.

2442. WILLIAM MAIR was indicted for embezzlement; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

2443. EDWARD BRYAN was indicted for stealing, on the 11th of October, 5 shillings, the monies of George Newby, his master.

GEORGE NEWBY. I keep the Grapes public-house in Fore-street, Cripple-gate; the prisoner was my bar-boy. On the 10th of October, I put five shillings into my till, which had stamped letters on them—there was also a sixpence and a franc in it—the next morning the prisoner was set to clean the till.

Cross-examined by MR. PHILLIPS. Q. You had a character with him? A. Yes, I set him to clean the till because I suspected him—I am in the habit of leaving it open.

THOMAS DUNGLINSON (*City police-constable, No. 125.*) I took the prisoner, and found these five shillings on him, all marked.

Cross-examined. Q. Did you say any thing to him? A. I said Mr. Newby wished him to be searched—he seemed reluctant.

GUILTY. Aged 17.—*Recommended to mercy by the Jury.*—Confined Two Months.

2444. EDWARD M'DONALD was indicted for stealing, on the 16th of September, 1 ring, value 3*l.* 15*s.*, the goods of John Henry Bradley.

JOHN HENRY BRADLEY. I am a jeweller, and live in Great Russell-street. On Wednesday evening, the 16th of September, a gentleman who

had ordered some rings came and selected one of them—while he was there the prisoner came in and requested to see a pencil-case—I showed him some—he leaned over the counter and nearly covered it—the gentleman went back from the counter, and while his back was turned, the prisoner requested to see some other pencil-cases—I showed him some others—he then left the shop in a hurried manner—I then had the gas lighted, and the gentleman requested to see the other rings, that he might see how they looked by candle light—I then missed one ring—I heard no more of it till I saw in the newspaper that the prisoner was taken—I went to the office with the gentleman who had been in my shop, and we identified him—this is the ring I missed—(*looking at it*)—I am quite sure the prisoner is the person who was in my shop.

BENJAMIN BULLEN. I am shopman to a jeweller in Holborn. On the 17th of September, the prisoner came and asked me to show him some gold seals—I laid a tray of them before him—he looked at several, and asked for one with “Fidelity” engraved on it—I said I had not got one, but I would get one and wait on him with it in the morning—he gave me an address in Hatton-garden—I saw something in his hand, and gave him in charge—the ring produced and a gold pencil-case were found on him.

JOHN ARMSTRONG (*City police-constable, No. 211.*) I took the prisoner, and found the ring produced on his finger.

Prisoner. I hope you will show me mercy.

GUILTY.† Aged 24.—Transported for Seven Years.

2445. **EDWARD COOK** was indicted for stealing, on the 18th of September, 1 sovereign, and 4 shillings, the monies of George Baker; and **THOMAS EVANS**, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.; to which

COOK pleaded **GUILTY.** Aged 13.—Confined Four Months.

ANN BAKER. I am the wife of George Baker, of Simmonds-street, Chelsea. On the 18th of September, I was removing my goods, and between eleven and twelve o'clock I gave my desk to the person my husband employed to move—I had placed a sovereign and four shillings in a drawer in that desk, in a piece of paper—the desk was not locked—I missed the money and spoke to Cook about it—he said he knew nothing of it—I said I would send for an officer, and have him searched—he went with us to Jew's-row, and there we saw the prisoner Evans—Cook said to Evans, “I say, Ben, where is that money I gave you”—Evans said, “I have no money”—I said, “You have my money, I will call a policeman, where is the policeman?”—Evans then took us through a court, and unlocked the door of a privy, got on the seat, and took from between the tiles the sovereign and four shillings.

Cross-examined by Mr. PHILLIPS. Q. How long was that after you lost it? A. Within the same hour.

HARRIET ANDREWS. I went and collared Evans, and said, “Where is the money?”—he said, “I have got no money”—I said we would get a policeman—he took us down to the privy, and gave the money—Cook was employed by the man who moved the goods—I did not see Evans there.

Cross-examined. Q. Was it in the paper? A. Yes—it had not been opened.

JAMES LIGHT (*police-constable B 128.*) I took Evans—he said he was

innocent—he said at the station-house that Cook gave him the money — Cook said that he took the money to Crawley's-yard, and gave it to *Soldier*, which is a nickname that Evans goes by.

Evans's Defence. I was going home to dinner, and this *chap* asked me to mind the money till night for him.

EVANS†—GUILTY. Aged 19.—Transported for Seven Years.

2446. FREDERICK WILLIAMS was indicted for stealing, on the 19th of September, 1 coat, value 6*l.* 17*s.* ; and 1 cane, value 3*s.* ; the goods of the Honourable Fox Maule : 1 coat, value 2*l.*, the goods of John Henry Upton, Viscount Templetown : 1 coat, value 1*l.* 5*s.*, the goods of Henry Robert Ferguson, Esq. ; 1 cloak, value 1*l.* 10*s.*.. the goods of Jane Crawford Ferguson : 1 coat, value 2*l.* 10*s.*; and 1 scarf, value 2*l.* 10*s.*; the goods of Benjamin Heath ; in the dwelling-house of Henry Frederick Stephenson ; to which he pleaded

GUILTY.** Aged 22.—Transported for Ten Years.

2447. GEORGE SMITH was indicted for stealing, on the 24th of September, 1 waistcoat, value 1*s.*, the goods of Joseph Hosier.

JOSEPH HOSIER. I keep a clothes-shop, in Plummer-street, City-road. I had a waistcoat hanging inside of the door on the 24th of September—I saw it safe about ten minutes before five o'clock, and it was brought back a few minutes after—this is it—(*looking at it.*)

JOHN COTTRELL. I live in Plummer-street, opposite the prosecutor's. About five o'clock, on the 24th of September, I was in my front shop, and saw the prisoner hook the waistcoat off with a little whip—he put it on the ledge of the window, stood before it, and turned his back to it—he then saw every thing was clear, and popped it under his jacket—I followed and took hold of him—a policeman was passing—I told him to take the waistcoat from under his jacket—it appears the prisoner did not do it for want.

BENJAMIN BULL (*police-constable N 75.*) I took the prisoner, and found this jacket and 2*s.* 9*d.* on him, and this picture, which is a caricature of a policeman.

GUILTY.* Aged 13.—Transported for Seven Years—Ship.

2448. WILLIAM SMITH and ROBERT ATKINS were indicted for stealing, on the 22nd of September, 3 brushes, value 9*s.*, the goods of William Knight.

WILLIAM KNIGHT. I am the son of William Knight, of Winstead-street, Somerstown. I was in the shop on the 22nd of September—I hung these brushes up in the morning—I do not recollect when I saw them last, but I missed them in the evening, about a quarter to ten o'clock—I have never found them since.

CHARLES MARSH. I live in the Hampstead-road. At a quarter to ten o'clock on this evening I was at the prosecutor's shop—I saw Smith take down three brushes from the door-post—I am sure he is the man—Atkins and another person were walking on the curb, near the door—after Smith took them Atkins joined him, and Smith gave him the brushes—they went some distance, and gave them to a third person, who went away with them—I followed, saw a policeman, and gave them in charge.

WILLIAM WILLARD (*police-constable S 163.*) I was on duty in Clarendon-square at a quarter to ten o'clock, and heard the cry of "Police"—

I came up—the two prisoners were given to me—they said they knew nothing about it.

(Smith received a good character.)

SMITH—GUILTY. Aged 21.—Confined Three Months.

ATKINS**—GUILTY. Aged 19.—Transported for Seven Years.

2449. EDWARD SWEENEY was indicted for stealing, on the 16th of September, 2 pairs of boots, value 10s. 6d., the goods of Robert Byles, his master.

ROBERT BYLES. I am a shoemaker, and live in Strutton-ground. The prisoner was in my employ—on the evening of the 16th of September I missed a pair of men's shoes, and next morning two pairs of boys' shoes—I charged one Tanner with stealing them—I spoke to the prisoner about them—he told me one pair was in pawn at Mr. Adams's, and another at Mr. Debenham's—these are them—I do not think that the prisoner stole them, but that the other one did.

THOMAS ADAMS. I produce a pair of boots, pawned by the prisoner on the 16th of September.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy by the Jury.*

Confined Three Days.

2450. JAMES PRICE was indicted for stealing, on the 19th of September, 1 coat, value 4s., the goods of John Hubbard; 1 coat, value 12s.; 3 pairs of trowsers, value 11s.; 1 waistcoat, value 5s.; 2 jackets, value 4s.; 4 handkerchiefs, value 2s.; 2 pairs of stockings, value 1s.; 1 shirt front, value 2d.; and 1 brush, value 1s.; the goods of Luke Hallard.

LUKE HALLARD. I lodge at Mr. Smith's, in Hatton-wall. On the 19th of September, about half-past ten o'clock in the morning, I missed the things stated from my box, in my bed-room, in the garret—the box was locked—I had seen them safe just after ten o'clock the same morning—they are all here now—*(looking at them)*—they are mine.

SARAH SMITH. I am the wife of Andrew Smith, and live in Hatton-wall. Hallard lives at my house—my husband observed to me, on the 19th, that a young man went out with a large bundle, and he had nothing when he came in—I went out and saw the prisoner—I laid hold of his arm, and said, "Who have you been to in my house?"—he said, "For Mr. Hallard's clothes"—he had the whole of this property with him.

JAMES MILLER. I am a police inspector; I took the prisoner.

Prisoner's Defence. I was going along, and a baker sent me for the things.

GUILTY. Aged 18.—Confined Nine Months.

2451. ELIZABETH CRAWLEY was indicted for stealing, on the 10th of October, 3 sacks, value 4s. 6d., the goods of William Orchard and another, her masters.

MARY ANN WILLIAMS. I live in Crown and Cushion-court—the prisoner worked at Mr. Orchard's. On the 10th of October I saw her throw a parcel out of the window, it fell into the Greyhound-yard, between a cart and the wall—I then saw her come and take the parcel up—she went and spoke to two labourers—I do not know but that she might have come to fetch it back into the house.

Cross-examined by MR. PAYNE. Q. How far is your house from the

prosecutor's? *A.* I think about twenty yards—Mr. Orchard's door is round the corner—I could not see whether the prisoner went in there.

CHARLES HALL (City police-constable, No. 230.) I saw the prisoner go up the yard—I did not see her pick up the sacks, but she had them—I asked her what she had got, she said sacks which had fallen out of Mr. Orchard's window—she might have been going back with them.

NOT GUILTY.

2452. *JOHN ANDREWS* was indicted for stealing, on the 18th of September, 3 shawls, value 1*l.* 1*s.*, the goods of Thomas Butler.

THOMAS BUTLER. I am a linen-draper, and live in High-street, Shore-ditch. On the 18th of September, about seven o'clock, I received information, and went out—I saw the prisoner running away with these shawls in an apron—he threw them on one side—I followed and stopped him—he asked what I wanted him for—I told him to come back to the shop, and I would see—he then said, I must carry him—I got him back—some one picked up the shawls, and took them to my shop—I am sure the prisoner threw them down.

JOHN ALLFORD. I was passing the prosecutor's shop—I saw the prisoner and another there—one of them took the shawls, but I cannot say which—the other put them into the prisoner's lap—he ran away with them, and threw them down.

JOHN YEALDER FINCH (police-constable H 158.) I took the prisoner, and have the property.

GUILTY. Aged 18.—Confined Six Months.

2453. *WILLIAM SHORE* and *HENRY GLOVER* were indicted for stealing, on the 17th of September, 1 handkerchief, value 4*s.*, the goods of John Burgess.

CHARLES JAMES MERCER. I am shopman to John Burgess, a pawn-broker in High-street, Kingsland. On the 17th of September, about four o'clock in the afternoon, the prisoners came to the shop-door together—Glover asked the price of a handkerchief hanging in the doorway which they were both looking at it—he then asked me if I had not something particular to show them—I showed him two other handkerchiefs in the shop—while I was doing that he was placing a handkerchief round his neck, I suppose to attract my attention—Shore pulled down the handkerchief, which they had been looking at at the door, and walked away—I pursued and brought him back—he tried to get rid of the handkerchief in the doorway—he said he knew nothing of Glover, but when they got out of the door, Glover told him not to go on so fast.

Cross-examined by MR. JONES. Q. Did they appear to you to be tipsy? *A.* They were a little—it might have been Glover who first asked the price of the handkerchief, but they both looked at it—Glover was in the shop when I went after Shore, and I found him there when I returned—he appeared not to know what had transpired.

Shore's Defence. I met my fellow-prisoner, who asked me to go with him to Shacklewell; on our way, being accompanied by two others, we went to a public house, where I become unconscious of what occurred till I was in the station-house the next morning.

(Shore received a good character.)

SHORE—GUILTY. Aged 25.—Recommended to mercy.—Confined Four Days.

GLOVER—NOT GUILTY.

Sixth Jury, before Mr. Sergeant Arabin.

2454. CHARLES SAYER was indicted for stealing, on the 19th of September, 1½ oz. of silk twist, value 4s. 3d., the goods of James Mudford: to which he pleaded

GUILTY. Aged 25.—Confined Three Months.

2455. JOHN LYNCH and GEORGE PEARSON were indicted for stealing, on the 22nd of September, 3 half-crowns, the monies of Francisco Figuls.

FRANCISCO FIGULS. I am an oilman, and live in Woburn-buildings. On the 22nd of September, between ten and eleven o'clock, I was in my back parlour, I heard a noise, went into the shop, and saw the two prisoners—Pearson was against the counter—Lynch was leaning over the counter, and had his hand in the till—I caught them both, and found three half-crowns in Lynch's hand—Pearson was close to him—they had not called any body to serve them—I looked into my till, and missed three half-crowns—I sent for an officer, who took them.

JAMES STUTCHFIELD. I took the prisoner's, and received the three half-crowns.

Pearson's Defence. I was going into the shop, and the prosecutor came out—I did not go in till I saw the prosecutor come.

LYNCH—GUILTY. Aged 13.

PEARSON*—GUILTY. Aged 11. } Transported for Seven Years.

2456. THOMAS SMITH STAFFORD, WILLIAM JARRETT BRIDGES, and JOHN HARRIS, were indicted for stealing, on the 17th of September, 2 basins, value 3s. 6d.; and 1 knife-rest, value 6d.; the goods of George Golton: to which Stafford pleaded

GUILTY. Aged 15.—Confined Six Weeks.

GEORGE GOLTON. I live in Holywell-lane, and deal in glass. On the 17th of September I had been out on business, and when I returned, my wife told me that three boys were lurking about—I went to the door, and saw three boys on the other side of the way—I got behind the door, took down the door-shutter, and looked through the window—I saw the three prisoners come to the window, put their hands in at one time, and take out the basins and knife-rest—they all ran away—I came from the stairs and went after them—Stafford went down a turning which was no thoroughfare—he put down this basin, and said he hoped I would forgive him, as his father and mother were in distress, and had no food.

Cross-examined by MR. PAYNE. Q. Was Harris found at his father's? A. Yes, in bed—I did not see him take any thing.

SARAH GOLTON. I am the prosecutor's wife. I watched the prisoners through the window—I saw two of them put their hands into the window—one took one basin, and another another—they went away—I believe the prisoners are the boys.

Cross-examined. Q. Where were you? A. Concealed under the counter—I looked through a crack—I could not see very well.

SARAH BRANCH. I saw three boys on the 17th of September, lurking about the prosecutor's window, but I cannot say that the prisoners are the boys—they look different to what they did at Worship-street.

WILLIAM ROWLAND. I am a policeman. I was passing near the prosecutor's house—I saw the three prisoners about fifteen yards off—I went on, and in a few minutes the prosecutor's wife fetched me to the shop—

found Stafford there, crying—he said he was in distress, and it was his first offence—he told me the names of the other two prisoners—I went to Harris's house, and his father gave him up.

AARON PAYNE. I am a policeman. Bridges was given into my charge for stealing a sugar-basin and knife-rest.

(The prisoners received good characters.)

BRIDGES—GUILTY. Aged 15. } *Recommended to mercy.*

HARRIS—GUILTY. Aged 13. } *Confined Six Weeks.*

2457. JAMES TIBENHAM was indicted for stealing, on the 6th of September, 1 bottle, value 1*d.*; 1 pint of ale, value 8*d.*; and 6 yards of fringe, value 3*s.*; the goods of Francis Bailey, his master.

FRANCIS BAILEY. I live in Tavistock-place. The prisoner was my footman for about ten weeks. On the night of the 15th of September, at half-past eleven o'clock, after all the family had gone to bed, as I conceived, I looked out of the window, and observed the door which leads into the street, to be ajar—(my house stands back, and there is a covered way leading to the street)—I went down to fasten it, and saw a person in female attire, with a hand on the bell—I asked what she wanted, and was answered, "I was ringing for one of the servants"—I turned round and saw that it was the prisoner, who is my footman, dressed as a woman—I called the police, and gave him in charge—the police-sergeant suggested the propriety of his boxes being searched, which they were—this fringe was found in his box, and the bottle of ale in a cupboard, locked up.

Cross-examined by MR. BALLANTINE. Q. I believe you had the prisoner with a three years' character? A. We had a character from a lady who knew him—not from the person he lived with—I am not able to identify this fringe—I am not quite certain that the ale is mine.

SARAH DAVIES. I am cook to the prosecutor. I saw this ale found in a cupboard in the footman's bedroom—the prisoner was the footman—he had got my bonnet, shawl, and apron, in the kitchen—he took them without my knowledge.

JOHN SUTTON. I belong to the house of Shoolbred and Cook—they supplied Mr. Bailey with some fringe on the 1st of September—I have seen the fringe found in the prisoner's box, and compared it with what was supplied to Mr. Bailey—it corresponds in pattern, weight, and colour.

Cross-examined. Q. I suppose you have a great variety of fringe? A. Yes, and a great deal of this sort—this might have been purchased in our shop without my knowledge.

MARY ANN RUSSELL. I am the prosecutor's housemaid—the prisoner had my gown-skirt on.

NOT GUILTY.

2458. WILLIAM REYNOLDS was indicted for stealing, on the 18th of September, 2 sixpences, 7 pence, and 17 halfpence, the monies of William Tatham, from his person.

WILLIAM TATHAM. I have been selling shell-fish. I was at the Wind-sor Castle public-house on the 18th of September, about half-past eleven o'clock at night—I went to get half a pint of beer—I sat down, and the prisoner was sitting at a table about two yards from me—I fell asleep, and my money was then secure in my right-hand pocket—I had two sixpences, seven pence, and seventeen halfpence—when I awoke my pocket was cut, my money all gone, and the prisoner was gone—I said I had lost

my money—I met the prisoner at the Windsor Castle the next day, and gave him in charge—I have not found my money.

ANN FRANCIS. I was at the Windsor Castle public-house on the 13th of September. I saw the prisoner and the prosecutor there—I saw the prisoner unfasten the prosecutor's trowsers, take out his pocket, and take away something—I did not observe what it was—he then walked out of the room—he had sat opposite the prosecutor, and no one else had been near him—the next day the prosecutor came and asked me who it was did it—I told him, the prisoner—I was afraid to speak at the time, and I have had my life threatened since by the women and the boatmen in the City-road—I have been obliged to have a person to protect me night and day.

Prisoner. She is a common prostitute, and walks the City-road—on the first examination she said she saw me borrow a knife of another man, and on the second she was asked if I had a knife or scissors, and she said she did not see any.

GEORGE TAYLOR. I am an officer. I went with the prosecutor to the Windsor Castle public-house and took the prisoner—he said he knew nothing about it—I found nothing on him.

GUILTY. Aged 21.—Confined Six Months.

2459. **THOMAS BROWN** was indicted for stealing, on the 23rd of September, 5lbs. weight of ham, value 3s., 2 half-crowns, 5 shillings, 9 sixpences, 2 groats, 12 pence, 90 halfpence, and 62 farthings, the property of Samuel Matchett Freshney.

ELIZABETH FRESHNEY. I am the wife of Samuel Matchett Freshney, we keep a grocer's shop at Blenheim-terrace, Chelsea. On the 23rd of September, between eleven and twelve o'clock in the day, I was in the kitchen, and heard the money rattle in the till—I ran into the shop and saw the prisoner there, with my till under his arm—I caught him—he threw the till on a tub in the shop, and ran away—the till contained the money stated—I raised the alarm—he was pursued and brought back in about two minutes, but I never left the shop—I know he is the same person.

Cross-examined by Mr. PRENDERGAST. *Q.* How do you know him? *A.* By his features—he very likely was not in my sight more than half a minute—I am confident I am not mistaken—I am not aware that any money was gone from the till—I did not say that I saw him reaching across the counter.

LUCY HOWELL. I live next door but one to the prosecutor. I saw the prisoner and another boy there—the prisoner, I believe, took half a ham and gave it to the other boy, who put it into a bag and went off.

WILLIAM FORD. I am a policeman. I was sent for to take the prisoner.

JOSEPH DUNTON. I am a hair dresser, and live in Blenheim-terrace. I heard a cry of "Stop thief," and a young man ran past my house—a person told me a person had run away with a bag of money—I went out and took the prisoner, who had run by some buildings.

Cross-examined. *Q.* Where did you stop him? *A.* In King-street, about 250 yards from Blenheim-terrace—he passed my house and went round another street into King-street, and I met him there—I did not see his face distinctly when he passed.

(The prisoner received a good character.)

GUILTY of stealing the Money. Aged 17.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

2460. EDWARD WOODCOCK was indicted for stealing, on the 25th of September, 5 cabbages, value 2*d.*, the goods of William King; and JANE REED, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

WILLIAM KING. I am a gardener, and live at Edmonton. I sent a load of cabbages to market on the 25th of September, by Woodcock, who was then my weekly labourer—he had no authority to part with any of them—he was only drawing them for a person in Farringdon-market—they were common cabbages.

HENRY DODWELL. I was in the police-force. On the 25th of September, about eleven o'clock at night, I saw Woodcock driving the cart of cabbages—he stopped at Edmonton and went up Edmonton-place—he there spoke to Reed—he then took five cabbages and gave them to her—I called to her and she threw them down.

NOT GUILTY.

2461. NATHANIEL JENKINS, the younger, and JAMES REARDON, were indicted for stealing, on the 6th of October, 1 time-piece, value 4*l.*; 14 pewter-pots, value 14*s.*; 12 books, value 1*l.* 4*s.*; 1 table-cloth, value 4*s.*; 4 candlesticks, value 4*s.*; 1 brush, value 1*s.*; 1 comb, value 6*d.*; 6 brass gas-burners, value 3*l.*; 2 brass fittings, value 2*l.*; and 16 shillings; the property of Joseph Waggett and others.

MR. PRENDERGAST conducted the Prosecution.

JOSEPH WAGGETT. I am one of the trustees of the Wesleyan chapel, in Stanhope-street, Hampstead-road. I have a right of ownership over the articles there as trustee, and there are sixteen or seventeen others. On the morning of the 7th of October some articles were produced to me by the policeman—I can identify the whole of these articles—they had all been safe in the chapel at a quarter before ten o'clock the night before—I went to the chapel, and the property I had seen safe the night before was gone—these are the articles.

Cross-examined by MR. PAYNE. Q. In whose personal custody were these things? A. No person lives on the premises—the key of the chapel is in the possession of a woman, who is here.

CHARLES GRIMSHAW (*police-sergeant N 21.*) On the night of the 6th of October I was on duty near Hampstead-road—I saw the two prisoners coming up Stanhope-street, about 150 yards from the chapel—they were coming from it—Jenkins was carrying the bag which I now produce—I went and asked what he had got in that bag—he said, “Only some old brass, master”—I asked what—he said, “Old candlesticks and different things”—he said he had been emptying a privy, and found them—I asked who he worked for—he said, “Hayward, in Camden-town”—I asked him to come to the lamp that I might see what it was—he wanted me to go to a cellar down the next turning, where he was going to shoot it—I said I could see by the light of the gas to satisfy me—I took out one part, looked at it, and I then told them they must go to the station-house—I took the bag, and they ran off, one one way, and the other the other—they had been close together before.

Cross-examined. Q. Do you mean to say that you could distinguish Reardon distinctly? A. Yes—he did not run till I was in the act of going to the station-house—they both answered me—Reardon made answer that

it was only old brass—it was Jenkins who had the bag, but when I spoke I addressed both of them.

JENKINS—GUILTY. Aged 18. } Recommended to mercy by the
REARDON—GUILTY. Aged 17. } Prosecutor.
Transported for Seven Years.

OLD COURT.—Thursday, October 22nd, 1840.

Second Jury, before Mr. Sergeant Arabin.

2462. RICHARD CHANDLER was indicted for stealing, on the 22nd of September, 1 mare, value 10*l.*, the property of William Sinnott and another; to which he pleaded

GUILTY. Aged 41.—Recommended to mercy.
Transported for Ten Years.

2463. SAMUEL MATTHEWS was indicted for feloniously and knowingly uttering, on the 1st of August, a forged order for the payment of 5*l.* 10*s.*, with intent to defraud Phœbe Victoire; also, for uttering, on the 16th of July, a forged order for the payment of 8*l.* 5*s.*, with intent to defraud Charlotte Martinett and another; also, for uttering, on the 26th of August, a certain forged order for the payment of 5*l.*, with intent to defraud Loveday Gard; also, for uttering, on the 26th of August, a forged order for the payment of 5*l.*, with intent to defraud Ellen Hunt; also, for uttering, on the 17th of July, a forged order for the payment of 10*l.*, with intent to defraud Margaret Beeden: to all of which indictments he pleaded

GUILTY. Aged 24.—Transported for Life.

2464. EDWARD HUDSON was indicted for stealing, on the 16th of October, 22 yards of oil-cloth, value 3*l.*, the goods of William Thurnell.

WILLIAM THURNELL. I am an upholsterer, and live at Aldgate. On Friday, the 16th of October, between five and six o'clock, I was in the shop, and saw the prisoner at the door—I watched him for two or three minutes—I turned away for a moment to give directions, and when I turned back I saw him trying to take a piece of oil-cloth—he made three attempts, but could not take it, it was too heavy—he moved it about a yard towards the door—he ran away, I followed, and gave him in charge.

Cross-examined by MR. BALLANTINE. Q. Did you lose sight of him at all? A. Yes, as he turned round the corner, but he turned back in a moment, and I put my hand on him, and said, "How could you take this in open daylight?"—he said he did not take it.

JOHN PRICKARD. I am a policeman. I took him into custody.

GUILTY. Aged 31.—Confined Three Months.

Before Mr. Justice Bosanquet.

2465. JOHN BUCKLAND was indicted for feloniously killing and slaying Thomas Croft.

ROBERT HENDERSON. I am a carman, and live in Upper Charlton-street, Fitzroy-square. On the 17th of September, about seven o'clock in the evening, I was at the Grosvenor Arms public-house, in Grosvenor-street—the prisoner came into the room, with other persons—I never saw him before—I had known Thomas Croft for about a month previous to this—I had seen him daily—he came in soon after the prisoner—the prisoner

ap his arms, and began sparring at him—Croft said, “Mr. Buckland, I am not in the humour to take any of your nonsense, if you do not desist you will create a row”—the prisoner had not attempted to strike him, but was only sparring, as I thought, in good humour—the prisoner then pushed Croft toward the door, and Croft pushed him back again—the prisoner then pushed him out of the room into the passage, and a scuffle took place in the passage for about a minute—I remained in the room, others went into the passage—the prisoner came back about a minute after, and appealed to me and others if we did not see Croft strike him—I said, “No, I did not see a blow on either side”—shortly after I heard Croft’s leg was broken—I went into the tap-room, where Croft was sitting on a form, and somebody holding his leg—a surgeon was sent for—the prisoner was not in the tap-room—Croft was taken in a coach to the hospital—he was sixty-three years old—the prisoner is about thirty-five, I believe, and is a gentleman’s servant.

Cross-examined by MR. JONES. Q. What was the deceased? A. A waiter—he went by the name of Thomas Croft—I never saw him write his name—I never heard him called Cross nor Crofts—the prisoner seemed frolicsome and in liquor—the deceased said he was not in a humour to take nonsense—the prisoner pushed him first—Croft did not appear in liquor—I never saw him drunk.

JAMES WHITE. I am a cheesemonger, and live in John-street, Golden-square. I was at Owen’s public-house on this evening, about seven o’clock, standing in front of the bar—I saw the parlour-door open, and Croft walk out backwards, followed by the prisoner—I never saw either of them before—as Croft came out of the door I heard him say, ‘Don’t strike me’—I saw the prisoner strike him about the head and face, and he fell down backwards in the passage—I rather think it was a back-handed blow—I did not see any stick—I did not hear Croft speak afterwards—they took him into the tap-room directly, and the prisoner went into the parlour again—in about half a minute a policeman was sent for, and he was given in charge—the surgeon came, and I saw Croft on the form—I believe he was the same person I had seen in the passage, but I could not get near him for the crowd.

Cross-examined. Q. Was it a blow, or merely a push? A. A blow, I am certain.

JOHN RYAN. I am a servant out of place. I was in the parlour at the Grosvenor Arms public-house—the prisoner came in with a friend of his named Brammage—I know the prisoner very well, he is a gentleman’s servant—I believe they did not sit down—they had a pint of beer—the prisoner was rather in liquor—Croft, who was the waiter at the house, came in a few minutes after—he and the prisoner were known to each other—there was no quarrel between them—Croft came and stood close to the prisoner, and turned round in about a quarter of a minute to go out into the passage—the prisoner said, “Why did you strike me?”—I had seen no blow struck—Croft went out directly into the passage of his own accord, as far as I saw—the prisoner stepped after him, and spoke to him—I had not seen any sparring in the room—I heard a noise, and went into the passage—I saw Croft lying on the floor—I went to take him up—he was taken into the tap-room, and sat on a form—the prisoner returned into the parlour, and sat down very peaceably—he never attempted to move—Croft complained of his leg being broken—I heard the prisoner say he was very sorry for what had happened, and I believe no man was

more so—he appeared very sorry—the gas was not lighted in the parlour; that time—I do not know whether it was lighted in the passage—I was alight after the surgeon came.

Cross-examined. Q. Had you seen Croft and the prisoner together before? A. Yes—they always appeared on very friendly terms—the prisoner said it was entirely an accident; that he meant no harm towards the man; and that liquor was the cause of it—I have known the prisoner about twelve months or upwards—he has lived in respectable situations and appeared a quiet, well-disposed, inoffensive man, except when in liquor—he is then rather frolicsome than angry—I went to the hospital to see Croft three times, and talked to him—he was the same person as was injured at the house.

CORNELIUS METCALF STUART BABINGTON. I am house-surgeon at St. George's Hospital. I saw the deceased there on the 19th of September—he was admitted on the 17th—he had a fracture of both bones of the right leg—the larger bone had protruded through the skin—there was a wound about an inch in extent on the fore part of the leg; from the protrusion of the bone—I attended him till the 11th of October, when he died in consequence of the accident—I made a *post-mortem* examination, and found he died with abscesses on the liver and lungs, arising from the fracture of the leg—I judge of that from many cases I have seen before of the same kind, in which the matter is taken up from the leg to the liver and lungs—I have no doubt whatever that the injury of the leg was the original cause of death—the fracture might have been produced by many causes—there was no disease of the bone to cause it to give way suddenly—only the bones of old persons give way more easily than others—there was a good deal of external bruising around the fracture, about the middle of the leg.

Cross-examined. Q. Might the fracture be occasioned by a sudden fall on the floor, without any thing else? A. Yes—the deceased's constitution was very much broken—if he had been of an unbroken constitution I think he would have recovered.

NOT GUILTY.

Fourth Jury, before Mr. Justice Erskine.

2466. JAMES NOICES was indicted for unlawfully, maliciously, and feloniously assaulting William Metcalf on the 29th of September, by stabbing and wounding him in and upon the right side of the belly, with intent to kill and murder him.—2nd Count, Stating his intent to maim and disable him.—3rd Count, To do him some grievous bodily harm.

WILLIAM METCALF. I am waiter at the York and Albany Tavern, in the Regent's-park. On Tuesday evening, the 29th of September, between eight and nine o'clock, the prisoner was in the tap-room—the pot-boy Henry Brown, a groom named Shill, and other persons were there—the prisoner was sitting down with his arms on the table, leaning forward—he was drunk—while he was sitting there I took up a splinter, which is used for lighting the pipes, and put it towards the prisoner's hands—it was at the time—I did that twice, but did not put it near enough to burn him either time, nor did it touch him on either occasion—on the second occasion he said if I did it again he would *shove* a knife into me—he jumped up, and put his hand into his breeches' pocket, and took a knife out—he saw the knife—it was shut—I saw him open it—he followed me—I was afraid he meant to stab me, and jumped on the top of the seat on the

side of the room to where he sat—he followed me, and made one or two thrusts at me with the knife, across the table which was between us, and I picked up a short whip—he was standing on the floor facing me—I had done nothing to him then—I tried to knock the knife out of his hand with the whip, and struck him with it on the hand the knife was in—I did not strike him till after the second time he made the thrust at me—I did not succeed in knocking it out of his hand—I felt the knife enter my belly, when he made a third thrust, just below the navel—I called out that he had stabbed me, and they took the knife away from him—the pot-man interfered then—he had not interfered before—he held the prisoner's arm back, and I got down and showed him where he had stabbed me—I undid my breeches, and the blood was flowing from the wound—the pot-man fetched some rag, applied it to the wound, and stopped the blood—the prisoner sat down, and called for some beer—the pot-man said he should not have any more there—I went into the kitchen, leaving the prisoner in the tap-room—Mr. Knaggs, the doctor, came, he dressed the wound, and attended me till the following Sunday.

Cross-examined by MR. HORRY. Q. Was it not later than eight or nine o'clock? *A.* It was between eight and nine o'clock—I had only just come in when I took the splinter off the table, put it to the fire, and put it towards his hands—I did nothing else with the splinter, that I recollect—I was going to sit down—I should not have staid longer than until the bell rung—he was in a reclining position—his head was not on his hands, but was hanging over the table—he was sitting leaning forwards over the table—he had an opportunity of seeing me if he liked—I cannot say how long he had been in the house—I did not intend to touch his hands with the splinter—I am certain he saw me do it, because his eyes were open—his face was in front of the fire, and his back to the wall—I put the splinter towards him out of fun—I did not put it to his hand—I did not expect to be stabbed for it—I had no object but fun—it went out almost directly, and I lit it again—I did not wish to torment him nor tease him, as he said he would *shove* a knife into me—he got up—that was after I put the splinter towards him the second time—I only did it twice—he said he could stab me if I did it again—he was up directly—I did not hear him make use of any expression before he got up—one of the other persons as close to him, the others were a good distance—one person sat two paces from him—when I saw the knife I began to run immediately—the minute he got up he had the knife in his hand—as he got up he took the knife out—I had been drinking, but not sitting down—I had had two or three glasses of beer—Shill and Brown were in the room some time—Brown had been in and out as his business called him—I do not know when Shill came in—that was the first time I had put the splinter towards his hand—I have *larked* with him before—I never had any quarrel with him—he did not say, “If you don't let me alone I shall affront you.”

HENRY BROWN. I am pot-man at the York and Albany public-house. On Tuesday evening, the 29th of September, about ten minutes to nine o'clock, the prisoner was there, and Shill and Metcalf—the prisoner was leaning on the table—I did not see him come in—I was in the room about ten minutes—I saw Metcalf come in—the prisoner was then sitting by the table near the fire-place with his arms inclining over the table, and his head leaning over his arms—he was awake, and drunk—when Metcalf came in he went to the fire, and took a splinter of wood, lit it, and put it towards

the prisoner's hands two or three times—he touched his hands—the prisoner told him to leave him alone—Metcalf did it again two or three times—after he had lighted it the second time he touched his hands again with it—he touched them two or three times with it in all—the prisoner told him to leave him alone again—he then got up, and told Metcalf if he did it again he would *shove* a knife into him—I saw him take a knife out of his pocket, and open it—Metcalf then got on a seat at the other side of the room—the prisoner followed him, and struck at him two or three times with the knife—he was on the floor about three feet from Metcalf, and the table was between them—he struck at him across the table—I did not see Metcalf do any thing else—he told me to take the knife from him—I did not see Metcalf do any thing while he was striking him—I got up, and caught hold of the prisoner's arm—the prisoner went and sat down—Metcalf jumped off the seat, and said he was stabbed—he undid his clothes, and I saw the wound bleeding, about an inch and a half below the navel on the right hand side—I got some rag, and applied it, and strapped it up—I was then called away—the prisoner put the knife into his pocket.

Cross-examined. Q. How was the prisoner lying? A. With his head reclining over the table, talking to us—he was quite drunk—Metcalf touched his hand with the burning stick—I often saw the prisoner there—I have not seen people frolic with him—I never saw Metcalf put the lighted splinter to his hand before—I have heard of his doing so—I did not see Metcalf seize a whip, and try to knock the knife out of the prisoner's hand—if he had done so I should have seen it—I saw no whip—I did not hear the prisoner say any thing before he got up, except telling him to leave him alone—he did not leave him alone—I did not hear him say, "You had better leave me alone, or I shall affront you"—I was sitting next to him.

JOHN SHILL. I am servant to Mr. Castles, of Camden-town. On Tuesday evening, the 29th of September, I went to the York and Albany public-house, between eight and half-past eight o'clock—I found the prisoner, prosecutor, and Brown in the tap-room—the prisoner was sitting down leaning on the table with his head down on his arm—he was not asleep, but was quite drunk—I saw Metcalf put a lighted splinter to his hand two or three times, and likewise to his face—it touched his hand—the prisoner wished him to leave him alone, and not trouble his head with him—Metcalf did it again, and then the prisoner said he was an old man, and wished him to leave him alone—on his doing it the third time the prisoner got up, and walked across the room—Metcalf was on the other side of the room—he got up on a seat—the prisoner walked to him—I did not hear him say any thing before he walked across the room—I did not see any thing in his hand—I did not hear the prisoner speak at all when he got up—Metcalf, nor see him do any thing—I was sitting near the fire at the end of the room, and did not leave my seat—I have known the prisoner many years—I saw nothing of the stabbing—I heard Metcalf call out, "Take the knife from him," but I did not see the knife—Brown got up, and took hold of his arm—Metcalf pulled down his trowsers, and said, "He has stabbed me"—I did not see the wound.

Cross-examined. Q. Before the prisoner got up, did not he say, "You had better leave me alone, or I shall affront you?" A. He said he did not wish him to trouble his head with him—I do not recollect his saying any thing about "affront"—I do not recollect telling any one that I heard him say so—I had seen the prisoner there before—I never saw Metcalf do any thing to him before.

HENRY KNAGGS. I am a surgeon, and live at Camden Town. On Tuesday, the 29th of September, I was called in to see Metcalf at the York and Albany tavern, at half-past ten o'clock in the evening—I found him in bed, and found a wound two inches below the navel, half-an-inch long—it had separated the skin, and gone into the body—it is a part in which a wound might produce dangerous consequences—I did not probe it—(*looking at a knife*)—this knife might have inflicted the wound—I attended him until the Sunday—it is a very dangerous part of the body, but the wound itself was not dangerous—if the whole blade of the knife had entered the body, it would have been still more dangerous.

Cross-examined. A. It was only a slight wound after all? A. It was very dangerous in the first view of it—serious inflammation followed.

EDWARD RICHARDSON. I am a policeman. I apprehended the prisoner on the 29th of September, at the Bedford Arms public-house, Camden Town—I told him I wanted him—he came out with me into the street—I then said, “I want that knife”—he said, “What knife? I have no knife”—I put my hand into his right-hand breeches pocket and found this knife—I found a stain of blood on the blade afterwards—I said, “This is a pretty thing to stick into a fellow”—he said, “He had no business to interfere with me then, I would stick any man that interfered with me”—I said in going along it was a very serious affair, the man might die—he said he might die and be d—d—he was quite drunk.

(The prisoner received a good character.)

GUILTY of an Assault only. Aged 53.—Confined Twelve Months.

Before Mr. Justice Bosanquet.

2467. ABRAHAM MOSS was indicted for unlawfully, maliciously and feloniously assaulting Phoebe Moss, on the 27th of September, and cutting and wounding her in and upon the face, chin, and right-hand, with intent to do her some grievous bodily harm.

PHOEBE MOSS. I am the prisoner's wife, and live in Prescott-street, Goodman's-fields. I have been separated from him three years, and have only seen him once since, which was on the 20th of May, two years ago, at the burial of my child—when we were together we lived in Cartwright-street, Rosemary-lane—I left him and went to lodge in Prescott-street—last Monday evening three weeks he came up to my room—I was quite alone and was doing nothing, as it was the first day of our new year, which is a holiday—the door was just on the close—he pushed it open, came in, and stood before me, with his coat open, and his hands under his coat—I had two lights burning on the table—he said, “I want some victuals,” and not having seen him so long I was rather startled at seeing him—I said, “How can you come on such a night as this, to ask me for victuals, when neither I nor my family have had a dry crust from you these three years?”—he then took a knife and held it towards me—I took my right-hand and grasped the blade, and he tried to draw it from me, but I firmly held it—he then rushed on me with another knife, which he had also under his coat, and knocked down the lights, and I was in the dark—he cut me on the chin with that knife—I was still holding the other knife fast—my right-hand was cut and bled very much, with holding the knife—I saw the second knife coming towards me before I was cut on the chin—I still held the first knife in my hand and screamed loudly—Mrs. Holland came to my assistance with a light, and then Mephram came—they caught hold of him,

and brought him out on the landing-place—I was so frightened, I believe I still held the first knife in my hand when the other was taken from him, and I said, “O my God, are there two knives?”—he still had one knife grasped in his hand when I said that—I had never seen either of the knives before—there were none on the table when he came in—there was a cloth on the table; in honour to our holidays and sabbaths, we never keep a table uncovered—I struggled with him before any one came in, I think for about a quarter of an hour, or very likely not so much, but it appeared to me a great age—I had had tea about six o’clock—this was after that—my daughter had tea with me—she is, I believe, thirty years of age—she was not with me when this happened—she had left about a quarter of an hour, to go on a message into the next street—there had been no quarrel between me and the prisoner since I saw him two years ago—I never met with him and never spoke to him—I had never sent any messages to him, or received any—he never resented my leaving him—we had lived middling happy before I left him.

Prisoner. Q. Did not I bring up the children for thirty-one years, and provide for you in respectability, and with hard work and honesty? A. I do not like to say—you did, but in what manner I am almost ashamed to say—about fourteen years back you left me in my confinement, with a baby a month old, and six children—the children’s education never cost you a penny—they were trained by the free-school—when I left you you did not support me—I went out into the street, and stood in frost and snow with fruit to support my children—I supported them—what you sent me would not keep the baby at the breast—you did not help to teach the children different trades—you never would study for the children—it was me that lived in the greatest poverty, to strive for them, to get them what they know—I had no money to give you—I did not run away from you three years ago and strip the place—I took away what belonged to my eldest daughter, what she bought—I have not a thing but what my children have purchased between them—I have five children living—I have lost one—the four children are able to support me and their little brother by their industry and my little assistance—you told me if I would leave you I might go, for you would not keep me, and you would keep the two boys—I was only gone one night, when you sent a neighbour with the little boy, with a message, that you would pay 2s. a week for him, but I never received a farthing—the other boy you kept for twelve months, and then you were taken very ill, and went to the hospital, the boy came to me, and I have kept him ever since, till I got him into an asylum, about eight months back—I did not encourage the boy to rob you while he was with you—when you asked me for a bit of victuals, I said, “How can you come and ask me on such a night as this for victuals?”

Prisoner. You said, “How do you know I have got any?”—I said, “Because I know you have had some of my money given to you”—you said, “Before I give you any victuals I will stick that knife into your guts.” *Witness.* I never used such a word in my life—the young man that courted my daughter, never came at unseasonable hours in the night, for you would not allow the door to be opened after eleven o’clock—he never kept us up till three o’clock in the morning—he never came later than eleven o’clock—he brought her home one night at eleven o’clock—you said, “If you come at this hour again I will charge the police with you”—he is a very respectable young man—you applied to the High-Priest for a divorce, but he would not give it you.

JOHN MEPHAM. I live in the same house as Mrs. Moss—I heard her crying out “Murder,” and went to her room—Mrs. Holland had got there before me—I passed her at the room-door, and on looking into the room, Mrs. Holland held a light up—I looked under her arm, and saw the prisoner’s arm raised above his head, and saw the blade of the knife—I then rushed in on him, and took hold of the wrist of his right hand, which he had the knife in—I took him by the neck with my left hand, and took the knife from him—Mrs. Moss was crying “Murder, murder; don’t let him go,” and I detained him on the landing till the police came—she complained of being cut in the chin and in the hand—the prisoner said, “Give me in charge,” two or three times—he did not give any explanation of what had taken place—Mrs. Moss did not say in his presence how it had happened—I saw another knife, either in Mrs. Moss’s hand or Mrs. Holland’s—they were small table-knives—the prisoner stood with his back towards me when I first saw him, and his arm raised, and the knife above his head—he was close to the prosecutrix—they had hold of one another.

Prisoner. Q. Did not you take hold of my arms, and pin me behind?
A. No; I took you round the neck, and seized the knife in your right hand—you did not give me the knife and say, “This is the knife I took from my wife”—you did not resist much—the knife was firmly grasped in your hand—I took it out of your hand, you did not give it to me—you did not say a word about giving you in charge till you got on the landing—you went out with me at once on the landing, and there I detained you—I gave the knife to one of the women behind me, I cannot say which—you did not attempt to get away.

COURT. Q. Did you know the prisoner before? A. Never.

ANN HOLLAND. I am the wife of Michael Holland, and live in the same house as Mrs. Moss. I heard the cry, and went down with a light—there was no light in her room—the door was open—I saw the prisoner in darkness—I held my light up, and saw the shadow of something in the prisoner’s hand—he and Mrs. Moss were both together—she was screaming “Murder”—they were struggling, to the best of my knowledge—I stood at the door—I did not see Mrs. Moss with any knife—I saw her after he was taken away, bleeding at the hand and chin—the prisoner said nothing—I saw him taken away—after he was gone, I saw the candlesticks on the floor—the knife was not given into my hands—Mepham took it from the prisoner—I had seen the prisoner once before.

Prisoner. Q. When you came down, were not the candles burning in the room? A. No, they were out.

SILVANUS GILL. I am a policeman. I was called to the prosecutrix’s room, and saw the prisoner there, and several other persons—Mrs. Moss said, in his presence, that he had brought two knives to murder her—she was bleeding from the hand and chin, and said her husband had done it—she handed me the two knives, and said they were what her husband cut her with—I asked the prisoner if they were his knives—he said no—I asked him no more questions—I asked Mrs. Moss if she gave him into custody—she said, “Yes”—I asked her if the knives belonged to her—she said “No”—I took him into custody—he did not speak all the way to the station-house—when he got there he complained of a small cut in his finger, which he said was done in the scuffle—there was blood on one of the knives—when Mrs. Moss charged him with the act, I do not recollect that he made any answer to it.

Prisoner. Q. Where was I when you came up? A. On the landing and Mrs. Moss also—Mephram stood by your side—I fetched some knives from the house, by the Magistrate's order, to see what sort of knives she used, and they did not correspond with these—they were all white-handled ones, and these are black.

(The prisoner made a long defence, the same in substance as his cross-examination of the prosecutrix, and stated that the knives were both upon her table, that she made a thrust at him with one, and in struggling to get it from her, it touched her chin—that they both cried murder, and assistance came.)

GUILTY of an Assault only. Aged 68.—Confined Twelve Months.

Second Jury, before Mr. Justice Erskine.

2468. WILLIAM BATES was indicted for stealing, on the 18th of September, at St. Marylebone, 2 bags, value 6d. ; 80 sovereigns, 60 half-sovereigns, 20 half-crowns, 70 shillings, 30 sixpences, 20 groats, 6 5l. notes, 1 order for the payment of 15l. 18s. 10d., and 1 order for 15l. 6s. 2d.; the property of Edward Scotchman, his master, in his dwelling-house.

MESSRS. ADOLPHUS and BALLANTINE conducted the Prosecution.

EDWARD SCOTCHMAN. I keep the Crown public-house in Henry-street, Portland-town—the prisoner was my pot-man. On Friday morning, the 18th of September, I came down stairs a little before six o'clock—I placed two bags on the bar parlour table—one contained five or six 5l. Bank of England notes, a cheque for 15l. 6s. 2d., another for 15l. 18s. 10d., and some gold; and the other contained silver—I then opened my house—I saw the prisoner about ten minutes after I had done so—he did not sleep in the house—he came and opened the tap-room door, then went and opened the back yard door—he then went into the kitchen, I believe, for the knives—there is an entrance out of the kitchen into the bar-parlour, the door of which was open, and he could see the bags from the position in which he was—he then came and ordered some gin for the men who were at work in the sewer—I put some gin into a bottle—he then ordered half a pint of rum—I washed a bottle to put the rum into, and while doing that, the prisoner went towards the kitchen again—he was gone about a minute—I could not see whether he went into the kitchen or not that time. I had seen him go in before, when he went for the knives—I saw him in the kitchen—I was in the bar-parlour at the time, and the bags were then on the bar-parlour table—he could see the bags from the kitchen—when he went towards the kitchen the second time, I had not sent him there—I was at the counter at that time, washing the bottles, and was not in a position to see whether he went into the kitchen—he had time between that and his return, to go into the bar-parlour—when he came back he told me to put another half-pint of rum into the bottle, and make it up to a pint—I did so, and placed the bottles on the counter at the bar—he then said, “I want half a quartern of brandy for myself, for I have been ill all night, and I am all of a shake now”—he appeared to be so, but when I saw him first in the morning, I did not perceive any thing the matter with him—he appeared to be as usual—while serving him with the brandy, I heard footsteps, and saw a man go out of the street door leading to the bar—the prisoner was at that time in front of the bar, drinking the brandy—I said, “Who is that man? I saw no one come in”—he said, “I don't know who it is, I saw nobody come in”—he then went out with the bottles.

and liquor—I shortly afterwards returned into the bar-parlour, and found the bags and money gone—I informed some policemen—I did not make any charge against the prisoner that day—he came back in about half an hour, to the best of my belief—I said, the man who had gone out had robbed me of my money, and asked him if he knew any thing about it—he said “No”—I asked him nothing more about it till next day—he said he knew nothing of it—I then gave him in charge, and said, “William, I give you in charge on suspicion of being concerned in the robbery”—he said very well, he was willing to go—the policeman was there at the time—on Tuesday evening, the 23rd of September, John Burnham came to me, in consequence of which, I sent for sergeant Taylor—Burnham then produced a bag containing 80*l.* in sovereigns and half-sovereigns—the bag was dirty, and had earth on it—it was not one in which my money had been—the money was counted over by Taylor, returned into the bag again, and given to Burnham—Taylor followed Burnham out, and in two or three minutes I also followed them to the parlour of the New Inn—I there saw the prisoner, Burnham, Taylor, and Newton, the landlord, and the same bag of gold was on the table—when I went in, the prisoner made an attempt to escape out of the door—I stood at the door, and prevented him, and said, “Let us have none of your nonsense, or I will *floor* you”—there was upwards of 100*l.* in sovereigns and half-sovereigns in one of the bags I lost.

Cross-examined by MR. PHILLIPS. Q. Were you in the habit of taking these bags down every morning? A. I was—there were two or three persons came to the front of the bar about the time the money was taken, and had a penny-worth or two of gin, but they went out at the same door they came in at—I did not send the prisoner to see if he could detect the thief—he volunteered to go, and I permitted him—he was taken before Mr. Rawlinson, the Magistrate, on Saturday—he underwent an examination there, and was discharged—he was taken up again on Tuesday, the 22nd—he was not in custody on Sunday or Monday—he had that time to escape, if he liked—there is a glass-door to the bar-parlour—it had curtains to it, which were closed—I considered the bag safer below stairs than upstairs—I discharged the prisoner on the Saturday, after he came from the office—I told him he was no longer my servant, and as soon as I had a settling with him I should discharge him—I owed him eight weeks’ wages, and he owed me 10*l.*, and on Monday evening he, and a person named Huxton, I believe, who called himself his legal adviser, served me with a writ for trespass for taking him up—the 10*l.* he owed me was for beer which he took out, and for which he was answerable—I allowed him $\frac{1}{2}$ *d.* a pot for what he took out—there was no final settlement between us—I said, when he served this writ on me, if he would settle with me I was willing to pay him his wages—I have known Burnham ever since I have been in that house, which is twelve months—he is in the habit of coming to my house—I know his brother—he is at work there at the sewer—I left him there this morning—I never knew more than one brother—they were both in the habit of coming to my house.

MR. ADOLPHUS. Q. When the prisoner was first taken before Mr. Rawlinson, and discharged, had you any witness there besides yourself? A. Only Mr. Craig, who went with him in search of the man, no one else—there was nothing in his employment with me to give him possession of 80*l.*—I believe Burnham is a ground-digger.

COURT. Q. You say you saw a man going out of the street-door; was

he going as from the kitchen which leads to the bar-parlour? *A.* Yes, he was—I only saw the man's side-face—it was not either of the Burnhams—I saw enough of him to know that—probably two minutes had elapsed from the prisoner going away from me towards the kitchen, and the man's going out—I was at the bar at the time, and the prisoner stood facing me, drinking the brandy—the man did not pass through the bar, but through the passage—there is an entrance out of the passage into the bar—I saw him through that entrance, as he was passing out at the door—I could not see whether he had been in the kitchen or not, he was passing from the direction of the kitchen.

JOHN BURNHAM. I am a labourer. I have known the prisoner about twenty years. On the morning of the 22nd of September I saw him, about half-past eight o'clock, going up Henry-street, Portland-town—he was alone—I told him there was a man taken up on suspicion of Mr. Scotchman's robbery, and I and my brother were going down to the office to see if we knew him—he said he would go with us—he went with us with his entire own will, and we looked at the man—he saw the man in custody, and he said that was not the man, he was not big enough—he went away immediately—I and my brother stopped at the office, and heard the man's examination, and then returned home—after dinner I was going up Henry-street towards Mr. Scotchman's again, and met a man—in consequence of what he said to me I went to the Swiss tavern, and saw Bates—I told him I had come there, as he had sent for me by that man—he asked me, what news—I told him, "Very bad"—I then asked him to come outside, and I said, "Billy, what made you go away so soon from the office without telling us?"—he said, because he could not stop, for that young man that he had seen at the office was one out of the two—he said that young man was standing at the bar having a pint of beer, while there was another taking the bag with silver in it—I asked him what had become of the other—he said, "That is my business"—I said, "Billy, this will all be found out, for you are concerned in it"—he said, "I know I am, but it can't be found out, for I have none of the silver, and nobody saw me take the other; there is nobody can come it on me; and what I have got I have put away, so as I can get a little at a time, as I want it"—I asked him what had become of the notes and cheques—he said he had burnt them—we then went inside, and he gave me a sovereign to pay for 1s. worth of brandy and a pot of half-and-half—it came to 18d.—I returned him 18s. 6d.—we then went across the fields to Hampstead, and in coming home he gave me 2s. 6d. to get some steak and told me to get them cooked—I did so—there was a mistake made at the house, too, and he did not come to the house that I got them cooked at—I went outside, but could not see him—I saw his brother, and by the direction I went to another public-house, the New Inn, where he was sitting up in a room by himself—I told him I thought it was very foolish of him sitting there spending his money, and being in a house that he was not in the habit of using—his brother said he thought it was very foolish of him too—I and the prisoner then came away, and went into the fields—I asked him where he was going—he said he did not know where to go—we went across the fields to Chalk-farm, and there we had a small glass of brandy each, and he had a loaf or biscuit and cheese—we then came on again—I said, "Billy, this will all be found out, and you will get transported"—I then asked him how much of the money he had got—he said he had got about 80% or 90%—I told him I thought the best thing would

re to tell me where it was, or give it to me, that I might take it to Mr. Scotchman, for I thought he would rather have that than transport him—he burst into tears, and said, “Oh, my dear children!”—we then went across the fields home, and into his garden—he stooped down, and took a bag out of the earth with his hands—I could not see whether it was covered, as it was dark—we then went into the brick-field—I told him to count it to me, so that he might not say he gave me more than I gave Mr. Scotchman—he counted it over to me, to the amount of 80*l.* in sovereigns, and half-sovereigns—I told him if Mr. Scotchman would not consent to take it I would return back to him with it—he then proposed where we should meet after I had been to Mr. Scotchman—I said, “At the New Inn”—that was where I went to him when he was alone—I went to Mr. Scotchman with the money, and saw him—I told him something—he fetched Taylor, the policeman, and I produced the bag in their presence—Taylor counted it, and it was put into the bag again—I took possession of it by Taylor’s instruction, and went to Bates at the parlour of the New Inn—I went in alone—Taylor had followed me, and was standing just outside—when I went in I gave Bates the bag again, and told him Mr. Scotchman said he would not have any thing to do with it—I called for a pint of beer, and, in the meantime, in came Taylor—Bates dropped the bag on the floor—Taylor picked it up, and took Bates into custody—I was examined next morning at Marylebone office, and the prisoner was committed.

Cross-examined. Q. You said to him he would be found out, for he was concerned in it; was it then you first began to suspect he was concerned in it? A. I suspected him in the morning, when I first started with him, finding him more flush of money than usual—he did not say he knew he was concerned in it, but them that took the bag with the silver had not got the gold—he never mentioned gold to me—he said, he could not be found out, for he had none of the silver, and no one saw him take the other—when I told him it was foolish to sit in the public-house alone, where he was not in the habit of going, his brother said, he thought so too, so it would cause people to have suspicion—I had not heard him tell his brother any thing about the robbery—I merely took him to witness my words, that I was noticing him—that was all I heard his brother say—he also said, he thought it looked suspicious of him spending so much money about—I forgot that at first, but I recollect he did say it—when we came out of Chalk-farm—I said, “Tell me where the money is, or give it to me, or the others will *split* on you, and you will get transported”—I stated that just now—I mentioned the expression, “the others will *split* on you”—I work at any kind of labour—I have only one brother, his name is William—he is in England—I have a brother-in-law, named Edward French—I have dealt in watches at any time when I can purchase one worth any money—I have bought four—I buy them to sell again if I can turn any thing by them—I do not deal in oats, only when I buy them for my horse—I have bought oats and chaff mixed of a man named Kent, and outset in labour—I deal in timber, but very little—I have bought some deals to make a shore, which I have been doing—I have dealt with a man named England, but never bought timber of him—I was never a witness before—I was not a witness in the Lincoln’s Inn case—I was here in the gallery and heard it, knowing the young man that was tried for it—he was no friend of mine, merely an acquaintance—I came to see how it went on—I had known the young man three or four years.

MR. ADOLPHUS. Q. You say, his brother said to him, that he would fall into suspicion; at that time was the robbery perfectly known generally? A. It was, all through the neighbourhood, and published in the papers—I was never tried, or charged with any felony in my life, nor had any imputation whatever on me.

JOHN TAYLOR, (*police-sergeant S 17.*) On Saturday, the 19th of September, I apprehended the prisoner at his master's house—at the prisoner's request I went and searched his house—I found this silver snuff-box two sovereigns, and 11s. in silver—he was taken to Marylebone-office, and discharged—on the Tuesday following Mr. Scotchman came to me—I went with him and Burnham to Mr. Scotchman's house, and there I saw this bag of gold produced by Burnham—I counted it—there were 63 sovereigns, and 34 half-sovereigns—I put it into the bag again, gave it to Burnham and Mr. Scotchman and I followed Burnham to the New Inn—Burnham went into the parlour—I stood outside against the parlour-door, waiting for Mr. Scotchman who had not come so quickly—I stood so as to be ready in a moment to go into the room—I could not hear any thing that was said in the parlour—I went in and found Bates and Burnham there—I told Bates I had come to apprehend him again for his master's robbery—he arose from his seat, and something dropped—he wanted to get out, but I stopped him—I picked up the bag of gold close to his feet—it could not have dropped from any one but him, from the way in which they sat—I put it on the table—the landlord came in, and Mr. Scotchman directly after—I found in the prisoner's pocket a half-crown, three shillings, and nine sixpences in silver, and 1s. 9½d., in copper—he said to me, “It is all up with me now,” and he turned round to Burnham and said, “I thought you were my friend, but now you are my foe”—the money was counted, and was just the same amount as before.

(William Pargeter, tailor, and George Nurton, the prisoner's brother-in-law; Richard Frost, gardener; John Miller, grocer, Henry-street, Portland-town; Joseph Jowle, shoemaker, 8, William-street, Portland-town and Joseph West, labourer, William-street, deposed to his good character.

GUILTY. Aged 26.—Transported for Seven Years.

Third Jury.—Before Mr. Recorder.

2469. THOMAS LARARD, alias HOBSON, was indicted for stealing on the 6th of January, 3 watches, value 12*l.*, the goods of Thomas Massey, his master.

MR. DOANE conducted the Prosecution.

THOMAS MASSEY. I am a watchmaker, and live in Birchin-lane. The prisoner was my shopman for twelve or fourteen months—in consequence of something that happened at the latter end of September, I sent for M'Lean, the Inspector, and gave the prisoner into custody—I afterwards went with him to the prisoner's residence in Collier-street—I think he occupies the house, and lets out the first floor—it is a four-roomed house—I saw his tools there—I found forty-seven duplicates, and among them three which the inspector took charge of—(*looking at three watches*)—these are all my property, and were in my possession while the prisoner was in my service—I had not sold nor parted with them—the prisoner had no right to them in any way whatever.

Cross-examined by MR. PAYNE. Q. I believe your brother recommended the prisoner to you? A. He did—I understand he was in bus-

ness for himself before he came to me—I cannot exactly say when I had last seen either of the watches—the one produced by King, was taken in exchange from a gentleman, on the 7th of November, last year—I have an entry of it in the book—I cannot tell when I had last seen it—I have not taken stock for the last eight months—the prisoner continued in my service from the time I took it in exchange.

FRANCES McLEAN. I went with the prosecutor to the prisoner's residence in Collier-street, and found the three duplicates referring to the watches produced.

JAMES KING. I am a pawnbroker in High Holborn—I have a watch, No. 1001, pawned on the 6th of August—I do not know who by—the young man who took it in has left my service—it is in the name of Charles Ellis, 10, Castle-street—the duplicate produced by the officer corresponds with the one on the watch in all respects, and is the same hand-writing.

THOMAS WENTWORTH. I am shopman to Mr. Barker, a pawnbroker in High Holborn—I produce a silver watch pawned on the 8th of May, in the name of Charles Ellis, 10, Castle-street—I do not recollect who by—the duplicate produced is the counterpart of the one upon it, and corresponds in all respects.

RICHARD SAYER. I am shopman to James Sayer, a pawnbroker in Drury-lane—I produce a watch pawned on the 6th of January, in the name of John Ellis, 10, Castle-street—I believe I took it in—I have no recollection of the person—one of the duplicates produced belongs to it.

Cross-examined. Q. Is it your hand-writing? A. No, my brother's—the person taking in the pledge does not always write the duplicate.

MR. MASSEY re-examined by Mr. PAYNE. Q. When had you last seen the watch pawned on the 6th of January? A. I had taken it in exchange on the 23rd of December, 1839, the entry is in my own hand-writing—I was not at home at that time, but I had a partner previous to that—I kept the accounts on in the old book after our separation, they were put into the hands of a solicitor, and I copied the entry out—the original entry was made by the prisoner—I made the entry in January—the watch was then in my shop—I was in Scotland, at the end of last December, for five weeks—I came home about the middle of January—I left the prisoner in the management of the shop with my brother—I might have owed the prisoner 2*l.* odd for wages at that time, but I cannot say—this watch was taken in exchange in my absence—he did not tell me on my return, that in consequence of my being absent longer than he expected, and not having paid him the 2*l.*, he was obliged to raise a little money on this watch—he said nothing of the kind—I swear that positively—his wages were 30*s.* a week—I might have owed him at different times from 2*l.* to 3*l.*—I paid him in full, at least, eighteen times out of twenty—there might have been a balance in his hands, but generally he was paid his general weekly wages—I might have owed him something when I went to Scotland, but when I came back, whatever was owing was paid him, and I gave him a sovereign besides—(looking at a book)—on the 8th of August, this year, he only received 1*l.* when 30*s.* was due—on the 15th of August 10*s.* is entered to him, but at that time there was a balance, and a misunderstanding between us—he claimed about 2*l.* as due to him—I know well he cheated us out of 10*s.* more than was due to him—I got very warm on the occasion, and said, “You have charged me 10*s.* more than I owe you, but I will take great care from this time there sha'l be no more mistakes,” and I entered it

in the book, and said, "We will put down now what your wages are, and what you receive"—I gave him 30s. when there was 10s. entered, because I owed him a sovereign—this account does not leave 3l. 0s. 6d. due to him at the time he was apprehended—there is not a balance of 3l. in his favour—the balance is 1l. 8s.—I have his own hand-writing to prove it.

Q. Here is "piece-work, 15s. 6d.?" A. That I know nothing of—after a robbery took place he was suspected, and I put him out of my shop—on the Saturday following he was taken into custody—there was no demand made for work done that week—he never asked me for money—as to what is charged against me at that time we never went into the matter—I positively swear he never told me that during my absence he had been compelled to pledge a watch—I never authorized him to pawn any watch whatever—I never knew they were pawned till he was stopped by the officer, and the duplicates found—I will swear I did not give him this watch out of the window, and authorize him to pawn it in lieu of money—I did not owe him 4l. on the 6th of August—I do not know that I owed him half-a-sovereign—I will not swear to one or two sovereigns—he did not ask my permission to pawn a watch he had in his own pocket—I once allowed a confidential traveller of mine, named Clifton, who had been in my employ twelve or fourteen years, to pawn two watches, as he wanted money greatly, and said it would be a great favour if it was not convenient to me to let him have money, and I gave him leave—I take my oath that was never done on any other occasion whatever—the prisoner has a wife and one child.

MR. DOANE. Q. Has Clifton left your service? A. Yes, a month or two ago—it is two years ago that I allowed him to pawn the two watches long before the prisoner was in my service—while he was with me, I never suffered any body to pawn a watch, and had no idea of it.

COURT. Q. When did the last watch come into your possession? A. On the 7th of November—it was pawned on the 6th of August—N. 1955 came into my possession after I separated from my partner—I took the stock, in which it is entered, before I went my journey in November—they were all three in my possession before the 1st of January, 1840.

(Joseph Clements, watch-maker, Oxford-street; Jacob Hewett, livery stable-keeper, Hedgehog-mews; William Walker, Drake-street, Red Lion-square; John Thomas Leat, Duke-street, Manchester-square, silversmith gave the prisoner a good character.)

GUILTY of stealing one watch. Aged 31.—Transported for Seven Years (There was another indictment against the prisoner.)

NEW COURT.—*Thursday, October 22nd, 1840.*

Sixth Jury, before Mr. Common Sergeant.

2470. ELIZABETH GILHAM was indicted for stealing, on the 23rd of September, 1 pewter pot, value 1s. 4d., the goods of William Barron and that she had been before convicted of felony.

WILLIAM BARRON. I keep the Edinburgh Castle public-house, in Park-crescent. This is my pot—(looking at it)—I cannot tell when I lost it.

STEPHEN BOLT (police-constable D 51.) I took the prisoner, and found this quart pot on her in the New-road, about 200 yards from the Edinburgh Castle public-house.

(The prisoner pleaded poverty.)

RICHARD BRADSHAW. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—The prisoner is the person.

GUILTY. Aged 51.—Confined Nine Months.

2471. JAMES MILLER was indicted for stealing, on the 17th of September, 1 copper-lid, value 12s., the goods of Edward Spon.—2nd Count, calling it 12lbs. weight of copper.

EDWARD SPON. I am master of the Wapping School. I lost this copper-lid from my washhouse—(*looking at it*)—I know it by its particular make, and I am certain of it.

JAMES FOGG. I am inspector of the Thames police. I met the prisoner on the 17th of September coming from the school—I stopped him, and found the lid doubled up in his jacket.

Prisoner's Defence. I picked it up in a white bag.

GUILTY.** Aged 25.—Transported for Seven Years.

2472. ALEXANDER DANCE was indicted for stealing, on the 3rd of October, 2 shillings, the monies of Emanuel Moss, his master.

EMANUEL MOSS. I am a tobacconist, living in the Quadrant—the prisoner is my errand-boy. I left him in the shop on the 3rd of October—there was 1s. 6d. in the till when I left the shop—I returned in an hour, and asked if he had taken any money during my absence—at first he said "No," after that, he said, "Yes, I have taken 5s."—I pulled out the till, and counted the money—there was 6s. 6d.—having a suspicion that he had robbed me, I gave him into custody, he was searched, and 8s. 6d. found on him, and among it was the shilling which I had left in the till previous to my going out—I knew it by a mark on it.

WILLIAM BALLARD. I was in the police, but am not now. I went to the prosecutor's shop, and bought 3s. worth of cigars—the three shillings were marked with my initials—I came out, and sent in Frederick Davis, giving him two marked shillings—he came out, and showed me the cigars he had bought—I then went in, and purchased 2s. worth more—having received a sign from Mr. Moss, I went for a policeman—I saw the prisoner searched—he denied having taken any money, and said the 5s. I paid him were in the till—I examined the shillings, and found on him one I had paid him, and Mr. Moss identified another by a dent on the edge.

Cross-examined by MR. DOANE. Q. You marked four shillings? A. Yes, and two sixpences and two shillings which I gave to Davis—it was all that was in the till but the shilling which was found on the prisoner.

FREDERICK DAVIS. I live in Marlborough-street. I went and purchased some cigars—I paid the two shillings which Ballard gave me.

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Two Months.

2473. SUSANNAH PRESLAND was indicted for stealing, on the 12th of September, 4 yards of diaper, value 3s., the goods of John Hall Pratchell.

JOHN HALL PRATCHELL. I live in Sydney-place, King's-road, Chelsea. On Saturday, the 12th of September, between one and two o'clock, the prisoner, who I knew as a customer, came to my shop—she asked to look at some nets, which I showed her—she said they would not do, but

there were some in the window at $1\frac{1}{2}d.$ a yard—I went to get them out, and not seeing any at the price she named, I took out the first I saw—she said it was not the one, there was one marked $1\frac{1}{2}d.$ —I went again—I turned my head while I was at the window, and I saw two dozen napkins which were on the counter, move—I then brought the net—she said it would not do, but in a hasty manner she said, “I will take two yards of this”—after she was gone I missed the napkins, and went to the police-office—the prisoner came again on the Monday week following, and I gave her into custody—I call this diaper—they were not cut into napkins then, they were in one piece, and it was four yards of diaper; but when cut as they are now, they are called napkins.

Cross-examined by MR. DOANE. Q. Can you swear it was in one piece? A. I had never opened it—I never knew of a piece of napkins cut in my life—one napkin measures three-quarters of a yard—if any body asked for four yards of diaper, I should not give them twelve napkins—they would ask for napkins, not diaper.

MATTHEW KILLINGWORTH. I live at Mr. Perkins's, a pawnbroker, in King's-road, Chelsea. I produce four napkins pledged on the 15th of September by a person similar to the prisoner in size, but I cannot swear positively to her.

JOSEPH NOTBY. I am in the service of Mr. Thompson, a pawnbroker. I have four napkins pledged by the prisoner on the 12th of September.

WILLIAM WILLIAMS (*police-constable V 186.*) I took the prisoner—I found one duplicate, which corresponds with the duplicate of one of the pawnbrokers.

NOT GUILTY.

2474. HARRIETT MACROW was indicted for stealing, on the 17th of September, 1 shawl, value 15s., and 1 pair of shoes, value 7s., the goods of Edward Roberts.

SARAH ROBERTS. I am the wife of Edward Roberts, a carpenter, in Great Camden-street. I have known the prisoner for three years—she came to me on the 17th of September, greatly distressed, and I relieved her—she said she was living at a hospital in Hatton-garden—I went out with her—next morning I missed my husband's shoes, and after that my shawl—this is my shawl—(*looking at it.*)

CHARLES HILLYER. I was at Mrs. Roberts's house—she and the prisoner went out—the prisoner returned in half-an-hour, went to the parlour, and I heard her open a drawer—she then left with something in her apron.

WILLIAM MARKS. I am a pawnbroker. I have a shawl pawned by the prisoner on the 17th of September.

Prisoner. I pawned articles for her that afternoon for 6s., which she was going to pay to the loan society; she then said she had not enough, and sent me back for these things.

SARAH MACROW *re-examined.* She had pawned some articles for me that day, but I did not send her for these—she sent me the duplicates of them the next morning in a blank letter.

NOT GUILTY.

2475. WILLIAM GRANGE was indicted for stealing, on the 1st of October, 1 bag, value 1d., 6 sovereigns, 2 half-sovereigns, 4 half-crowns, 8 shillings, 2 sixpences, and 3 £5 Bank notes, the property of Robert Tilling, his master.

MR. DOANE conducted the Prosecution.

ROBERT TILLING. I am a van proprietor, and live in Charles-street,

Middlesex Hospital. The prisoner was in my service occasionally for three or four years, as driver—on the 1st of October I went to take a pianoforte to Windsor—I had a canvass bag, which contained the money and notes stated, and I concealed it between the rafters in the hay-loft—I left the stable about six o'clock in the morning, and returned about eight in the evening—on the Sunday morning following I missed my bag and money—I went with the policeman, and Mr. Coutts, to whom the 15*l.* belonged, to the prisoner's house—I found the prisoner—Mr. Coutts said it was a hard case that he should lose his 15*l.*—I said to the prisoner, 'Bill, if you have got the money, or the greater part of it, give it me, as I don't want to have any piece of work with you'—he then said, "Master, I want to speak with you outside the door"—I went out with him, he spoke to me, and I gave him into custody—I saw him give the policeman two sovereigns, and we found in his room a bill of parcels.

JOHN MANSBRIDGE (*police-constable E 22.*) I went with the prosecutor and Mr. Coutts to the prisoner's room—Mr. Coutts said to the prisoner, 'I cannot afford to lose my money, if you will give it up there shall be no more about it'—he said, "I have not got it"—the prisoner gave me two sovereigns, and I found in his room a bill of parcels for 7*l.* 4*s.*

NOT GUILTY.

2476. WILLIAM BELL was indicted for stealing, on the 22nd of September, 1 half-sovereign, the money of Thomas Charitie Bailey, his master; to which he pleaded

GUILTY. Aged 13.—Confined Five Days and Whipped.

2477. CHARLES MORRIS was indicted for stealing, on the 19th of September, 1 cushion, value 10*s.*, and 1 coat, value 5*s.*, the goods of John Farrow.

JOHN FARROW. I live in Red-lion-street, Spitalfields. On the 19th of September I had a horse and cart in the warehouse—I had just returned from the country, my coat and cushion were in the cart—I went back soon after and missed them—this is my cushion—(*looking at it.*)

GEORGE WHEATLEY. I saw the prisoner come out of Mr. Farrow's warehouse with the coat and cushion under his arm—I gave information.

GEORGE BALL (*police-constable 121.*) I met the prisoner, and stopped him that night with this cushion.

GUILTY.† Aged 18.—Confined Nine Months.

2478. RICHARD MARTIN was indicted for stealing, on the 19th of September, 74 yards of flannel, value 3*l.*, and two yards of calico, value 4*s.*, the goods of Charles Hawkins.

WILLIAM DYKER. I am shopman to Charles Hawkins, a linen-draper, 1 Tottenham-court-road. On the 19th of September this flannel, with the calico round it, was exposed for sale outside the door—I missed it about eleven o'clock in the morning—I know it by the mark on it—(*looking at it.*)

GEORGE JOHN RESTIEUX (*police-constable E 49.*) I stopped the prisoner on the 19th of September in King-street, going towards Long-acre, with this roll of flannel—he said a strange man gave it him to take to the Bull Inn in Holborn.

GUILTY.* Aged 18.—Transported for Seven Years.

2479. ELIZA FORTESCUE was indicted for stealing, on the 5th of October, 1 comb, value 5*s.*, the goods of Edward Griffin, her master.

EDWARD GRIFFIN. I am a hair-dresser, and live in the Strand. The prisoner was in my service—on the 5th of October, about one o'clock in the morning, I sent for an officer, who examined her box, and found the tortoise-shell comb, which is mine.

JOHN DEANE (*police-constable F 107.*) I searched the prisoner's box and found this comb—she said to the prosecutor, "How do you know it is yours?"

Prisoner. It was given to me by my cousin.

MR. GRIFFIN *re-examined.* I know it by some marks on it—it had been sold on the 25th of September, and brought back as being damaged.

GUILTY. Aged 18.—Confined One Year.

2480. MICHAEL HANLON was indicted for stealing, on the 17th of September, 1 plane, value 2s., the goods of James Thomas King; to which he pleaded

GUILTY. Aged 15.—Confined Three Months.

2481. ELIZABETH SCOTT was indicted for stealing, on the 4th of October, 3 bottles, value 1s.; 3 quarts of wine, value 11s.; 4 lobsters value 4s.; 5lbs. weight of salmon, value 5s.; 2 haddocks, value 2s.; 1 basket, value 6d.; 2 pinafores, value 8d.; 1 frock, value 4d.; and 1 pair of boots, value 3d.; the goods of Edward Luckie.

EDWARD LUCKIE. I am a fishmonger, and live in Lamb's Conduit-street. I had these things all packed in a basket—on the 4th of October I missed them, and saw them at the station-house, and knew them—some of them are here now—the prisoner was my servant.

Cross-examined by MR. PAYNE. Q. How long had she been with you? A. About three months—I had a good character with her.

JOHN WILLIAM ROPE. I saw the prisoner come out of the prosecutor's shop with the basket now produced—I followed her till she took a cab—I then had her and the basket taken to the station-house.

Cross-examined. Q. Where were you? A. Near my own house in Lamb's Conduit-street—I did not know that she was the prosecutor's servant.

GUILTY. Aged 33.—Confined Three Months.

2482. GEORGE ROBINSON was indicted for stealing, on the 22nd of September, six handkerchiefs, value 5s.; 2 cravats, value 13s.; 1 stock value 7s., and 1 shirt, value 15s., the property of James Telfer; to which he pleaded

GUILTY.* Aged 27.—Transported for Seven Years.

2483. HENRY CHAPPELL was indicted for stealing, on the 30th of September, one pair of boots, value 10s., the goods of Margaret Tuck—2nd COUNT, stating them to be the goods of Thomas Holme Bower and another.

MARGARET TUCK. I am the wife of James Tuck. We live at Islington—I am living with my husband, but the property is mine by a deed of settlement—there are trustees—Mr. Thomas Holme Bower, a solicitor in Chancery-lane, is one of the trustees—I had a pair of Clarence boots there on the 30th of September, and these two boots—I lost them—these are the

FRANCIS THORN. I am errand-boy to Mrs. Tuck, who keeps the shop at Islington. On the 30th of September I saw somebody go out of the door—I ran down stairs and told my mistress—I ran out and saw the

prisoner a hundred yards off—I got a policeman and had him taken—he had the boots.

GUILTY. Aged 19.—Confined Nine Months.

2484. **JOSEPH ROBINS** was indicted for stealing, on the 26th of September, 24 diamonds, value 35s.; one watch, value 10s.; and one watch-guard, value 6d., the goods of John Burdett Gibbons and another, his masters.

JOHN BURDETT GIBBONS. I am in partnership with my father. The prisoner was our errand-boy—we sent him out on the evening of the 26th of September, at a little past seven o'clock—he was taken into custody, and two policemen called on me—I went to the station-house, and saw this metal watch, and guard, and small diamonds—they are ours—I had seen them, I think, in the morning, except the watch, which was in a drawer that I do not often look into.

THOMAS SEAMOUR. I live in Woodbridge-street. On the evening of the 26th of September the prisoner came to me, and offered me these diamonds for sale for 7s.—I told him to call at eight o'clock—I got a policeman, and had him stopped when he came again—he was searched in my presence—this watch and guard were found on him.

GUILTY. Aged 14.—*Recommended to mercy.*—Confined Three Months, the last Week solitary.

2485. **DANIEL CLARIDGE** was indicted for stealing, on the 25th of September, 3 half-crowns, the monies of Thomas Lewis; and that he had been before convicted of felony.

THOMAS LEWIS. I keep a tallow-chandler's shop in Whitechapel. On the 25th of September, about twelve o'clock in the morning, I was at the back of my house, and saw the prisoner coming from behind my counter—I came in and said, "You villain, what do you do here?"—I let him go, but my wife came in, and missed three half-crowns from the till.

SARAH MARTIN LEWIS. I missed three half-crowns from the till, which I had seen safe half-an-hour before—I left my husband behind the counter when I went up stairs.

CATHERINE RYAN. I sell oysters in the street. On the 25th of September the prisoner came to me and had 1d. worth of oysters—he went to a shop and changed one half-crown, and I saw two others in his hand—I do not know what time it was.

EDWARD SIMMONS (*police-constable H 115.*) I received information, and went and took the prisoner—he said, "I have taken nothing"—I found his cap in the room—I said, "Where is the change of the half-crown?"—he said, he had no half-crown—I took him to Ryan, and then he said he had changed a half-crown which a lady gave him to get changed—there was only 2d. found on him.

Prisoner's Defence. I went to get change for a lady, and gave her all the change.

THOMAS LIDDLE. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—he is the person.

GUILTY. Aged 13.—Transported for Seven Years—Convict Ship.

2486. **NICHOLAS SADLIER** was indicted for stealing, on the 12th of September, one coat, value £3, and one shawl, value 1s., the goods of Joseph Thyer.

JOSEPH THYER. I am a coachman, and live in Ridinghouse-lane. On the 12th of September I was ordered out with my carriage—I saw the prisoner leaning against the harness-room door—I told him to go and ask my wife for my gaiters and white handkerchief, which he did, and I gave him 1*d.*—I did not authorize him to get any thing else.

ELIZABETH THYER. I am the prosecutor's daughter. The prisoner came for the gaiters and handkerchief—I gave them to him—in about five minutes he came again, and said Mr. Thyer had sent him for the coat and shawl—I gave them to him in consequence of that—I should not have done so if he had not represented that he came from Mr. Thyer.

Prisoner. My father knows that I was at home all the time. *Witness.* I am sure he is the person.

GUILTY.* Aged 12.—Transported for Seven Years—Convict Ship.

2487. **ELIZABETH KYTE** was indicted for stealing, on the 3rd of October, 2 gowns, value 6*s.*, the property of Charles Walter.

HENRY WINCH. I live at Mr. Charles Walters's, a pawnbroker in High-street, Marylebone—the prisoner came into the shop on the 3rd of October—I observed her very near these gowns—I watched, and saw her put these two in her lap—a person called me, and while I went out at one door, the prisoner went out at the other—I followed her, and she threw these gowns out of her lap into the street—I gave her to the officer.

Prisoner's Defence. Having lost some duplicates, I went to get affidavits for them; these gowns were found on the ground; I know nothing of them.

GUILTY.* Aged 45.—Confined Six Months.

2488. **THOMAS GREEN** was indicted for stealing, on the 12th of September, 2 sovereigns and 1 half-sovereign, the monies of Alexander Butti, his master.

ALEXANDER BUTTI. I live in Leather-lane; the prisoner was in my employ. I sent him, on the 12th of September, with two sovereigns and a half-sovereign, to buy some glass at the Liverpool glass-works, in Barbican—he did not return.

Cross-examined by MR. PAYNE. Q. How long had he been your apprentice? A. About fifteen months—he lived in my house, and used to go home on Sundays.

JOHN DOUBLEDAY. I live at the Liverpool glass-house, in Barbican—the prisoner did not come there on the 12th of September to buy any thing—I was there the whole day.

GUILTY. Aged 14.—*Recommended to mercy.*—Confined Three Months (There was another indictment against the prisoner for fraud.)

2489. **HENRY HUGHES** was indicted for stealing, on the 10th of October, 1 counterpane, value 5*s.*; 1 looking-glass and frame, value 4*s.* and 1 bolster-case, value 1*s.*, the goods of Seraphina Willan.

SERAPHINA WILLAN. I am a widow, and live in Middlesex-street, Somers-town. The prisoner lodged with me—he had a woman then whom he represented as his wife, but she went away, and he remained—these are my articles, (*looking at them,*) they were taken from my house.

HANNAH WILD. I am eight years old—I live at the prosecutrix's—the prisoner called me out of bed at half-past three o'clock in the morning and gave me the looking-glass, and the pillow-case wrapped round it—he said he was going to take them to the Minories.

JOHN DAWE (*police-constable G 71.*) About half-past four o'clock that morning, the prisoner and Wild passed me in Field-lane—I asked the prisoner what he had got under his smock-frock—he said, a horse-cloth—I found the counterpane on him, and Wild had the glass and pillow-case.

Prisoner. I meant to pawn them to raise a few shillings to pay my rent, and to return them.

GUILTY. Aged 26.—Confined Six Months.

2490. SOPHIA MATILDA BARRYMAN was indicted for stealing, on the 3rd of October, 6½lbs. weight of ham, value 4s., the goods of Paul Roberts.

ROBERT BROMLEY. I am shopman to Paul Roberts, a cheesemonger, in Lower Sloane-street. On the night of the 3rd of October, between eleven and twelve o'clock, I saw the prisoner standing about the shop—I missed this ham, followed her, and found it in her apron.

Prisoner. I had a little liquor, and did not know whether I had got it or not.

(The prisoner received a good character.)

GUILTY. Aged 48.—Confined Three Months.

2491. JAMES WILLIAM GRIFFITHS was indicted for stealing, on the 15th of September, 1 watchmaker's tool, called a depthing, value 5s., the goods of Joseph Christmas.

JOSEPH CHRISTMAS. I keep a miscellaneous shop, in Shoreditch. I was looking through my window on the 15th of September, and saw the prisoner come and undo a string which held some watch-maker's tools—I saw him take a depthing, I saw it in his hand—he went off, and I after him—he was taken, but nothing found on him—he had an opportunity of throwing it away.

Cross-examined by MR. PAYNE. Q. It was several hundred yards off where the prisoner was stopped? A. Yes—I did not lose sight of him.

NOT GUILTY.

2492. JOHN SLADDEN was indicted for stealing, on the 27th of September, 2 saws, value 3s., the goods of James Stephens.

The prosecutor did not appear.

NOT GUILTY.

2493. WILLIAM TAYLOR was indicted for stealing, on the 9th of October, 1 watch, value 2l.; 1 watch-ribbon, value 3d.; 1 seal, value 1s. 6d.; and 1 watch-key, value 3d.; the goods of William Bax: to which he pleaded

GUILTY. Aged 15.—Confined Six Months.

2494. ROBERT MACGREGOR was indicted for stealing, on the 12th of September, 1 shirt, value 5s.; 1 sovereign, 3 half-crowns, 9 shillings, and 2 sixpences, the property of John William Griffiths; to which he pleaded

GUILTY. Aged 17.—Transported for Seven Years—Convict Ship.

2495. ELIZA PALMER was indicted for stealing, on the 7th of September, 2 blankets, value 9s.; 2 pillows, value 4s.; 1 pillow-case, value 6d.; and 1 bolster-case, value 6d.; the goods of Joseph Howe: to which she pleaded

GUILTY. Aged 29.—Confined One Year.

2496. THOMAS CRUMP was indicted for stealing, on the 29th of September, 19 yards of flannel, value 15s., the goods of George Hinde Smith.

FRANCIS BENNET SWAN. I am assistant to George Hinde Smith, who lives in Pleasant-place, Kingsland-road. On the 29th of September I missed a roll of nineteen yards of flannel, which had been just inside the sill of the door, tied by a string—I looked out, and saw the prisoner with something under his arm, covered with his great coat—I ran up—three or four persons ran, and when I got up, the flannel was on the ground, and the prisoner running away—the flannel was taken to my master's, and it was his property—it was dropped about fifty yards from the shop—I did not see him drop it.

Cross-examined by MR. PAYNE. Q. Was it not a quarter of a mile off where the prisoner was taken? A. Yes—there was no necessity to come in-doors to take it—there is a mark on it—I had never seen the prisoner before—he was about thirty yards from me—he had his back towards me—he said it was not him.

JOHN TOUGE. I am a warehouseman. I was going along the road, and the prisoner came running towards me with a roll of flannel under his left arm, under his coat—when he came within a yard of me, he dropped it—I stood by it till the shopman came—I am sure he is the person.

Cross-examined. Q. Were there not some ladies there? A. There were two, but I was not noticing them.

WILLIAM NEAL. I heard a cry of "Stop thief"—the prisoner was running—I pursued, and took him about thirty yards down a street which he turned down—I brought him back to the shop, and gave him to the policeman.

WILLIAM HODGE (*police-constable N 97.*) I took the prisoner, and have the flannel.

GUILTY.* Aged 20.—Transported for Seven Years.

2497. ELIZABETH MAIR was indicted for stealing, on the 15th of January, 2 spoons, value 16s., the goods of Thomas Sage, her master.

THOMAS SAGE. I live in St. John's-lane. The prisoner was my servant—she left in February last—I missed these spoons after she left—these are both mine—(*looking at them.*)

WILLIAM CLARK. I am a pawnbroker, and live in London-wall. I took in this tea-spoon of the prisoner, and the table-spoon was taken in of her by another person in my presence—they were pawned in January and February.

Prisoner's Defence. I bought the ticket of the spoons of a woman—they were in pawn for 10s.—I wanted money, and pawned them again—I was the prosecutor's housekeeper, and was obliged to send him a lawyer's letter to get my money—I did not know the spoons were his till I was at Marylebone office.

GUILTY. Aged 60.—Confined Six Months.

(There was another indictment against the prisoner.)

2498. PETER BRANON was indicted for stealing, on the 29th of September, 30lbs. weight of lead, value 6s., the goods of James Ponsford his master.

MR. BALLANTINE conducted the Prosecution.

LIONEL THOMAS PONSFORD. I am in the service of my uncle, Mr.

James Ponsford, an architect—he is employed in building Oxford-square, Paddington. The prisoner was in his employ as a plumber's labourer—on the 29th of September I went to the buildings in Oxford-square—the prisoner was at work there that day—I waited till all the work-people left—I then hastened to Marylebone-lane, and spoke to a policeman, and when I had been there five or ten minutes, I saw the prisoner come in a direction from Oxford-square—when he saw me he appeared quite astonished, and stood still—I went and asked what he did there—he made no answer, but seemed to be much agitated—I felt his jacket, and found there was something hard—I took him into a shop, pulled open his jacket, and took from his waistcoat pocket this piece of lead—the rest of this lead was then found on him, and this hammer, which was on the works, and which he had access to—I examined the premises next morning, and found two pieces of lead, which exactly correspond with some of those found on him—they are of a very peculiar shape—these are them—I have not the least doubt that the lead found on him is my uncle's property—the prisoner had not the least right to it.

Cross-examined by MR. PAYNE. Q. What do you mean by corresponding? A. It corresponds in shape and thickness with the lead fixed on the roof—I believe the prisoner went out in the usual way from the works that day, but I did not notice him going—I had not seen him use this hammer, but the marks of it are on the lead—it was on the roof next to where he was working.

BENJAMIN WHEELER. I am clerk of the works to Mr. Ponsford. I was present when the lead was compared—I agree with what has been stated about it.

JOHN HARRISON (*police-constable D 32.*) I was spoken to by Mr. Ponsford—I took the prisoner in Marylebone-lane—I took some pieces of lead from his other pocket—I then took him to the station-house, and found a quantity of lead in his trowsers.

GUILTY. Aged 22.—Confined Nine Months.

2499. DEBORAH CARROLL was indicted for stealing, on the 2nd of October, 1 coat, value 15s.; and 1 waistcoat, value 9s.; the goods of Thomas Fitzgerald.

THOMAS FITZGERALD. I live in Exeter-buildings, Chelsea, and am a labourer. My wife took in the prisoner out of charity—she remained with us about three weeks, and left without notice, about three weeks ago—I missed my coat and waistcoat—these are them—(*examining them.*)

HENRY WALKER. I am shopman to Mr. Ravenhill. I produce the coat and waistcoat which were pawned by the prisoner.

GUILTY. Aged 30.—Confined Three Months.

2500. JOHN SIMMONS was indicted for stealing, on the 28th of September, 3 pieces of woollen cloth, value 7s.; 4lbs. weight of horse-hair, value 4s.; 3 yards of canvas, value 6s.; 4 yards of coach-lace, value 8s.; and 2 slides, value 1s. 6d.; the goods of Joseph Wright.

THOMAS BROWNING. I am clerk to Mr. Joseph Wright. On the 28th of September I missed this cloth and other articles now produced—they are all my master's—I had seen them safe the day before.

JOHN EADE. I live in Phoenix-street, Somers-town, and am in the employ of Mr. Wright. On the 28th of September I saw the prisoner in

a coach taking out the lining—these slides were found in his pocket at the station-house—these other things were in the coach with him.

Prisoner. Q. Did you see me cutting the lining? A. No, but you was there with the articles.

GUILTY. Aged 30.—Confined Six Months.

2501. CATHERINE DOYLE and SARAH DEMPSEY were indicted for stealing, on the 29th of September, 1 shawl, value 14s., the goods of Frederick Tomkins.

CATHERINE TOMKINS. I am the wife of Frederick Tomkins—he keeps a draper's shop in Charles-street, Middlesex Hospital. On the 29th of September, the prisoners came to the shop, and asked to look at some shawls—I brought some forward, amongst which was this one—they then wished to look at some plaid ones—I turned to get them, and on turning back I perceived something bulky under Doyle's shawl—I asked what that was, and at the same time opening her shawl I found this shawl secreted—she said she had a sister outside, and intended to take it for her to look at—Dempsey stood by her side, and she said, “Why did you come in here? how stupid you was”—Doyle wished me very much to let her go out and fetch her sister—I said I could not think of that, but I would let Dempsey fetch her—she went out, and did not return.

FRANCIS FRYER. I am a policeman. I was sent for to the shop—Mrs. Tomkins gave Doyle in charge, and this shawl—I took Dempsey from the description I received on the Thursday following.

Doyle's Defence. I only had it in my hand to look at.

MRS. TOMKINS. It was so concealed that I could not see what she had till I opened her shawl.

Dempsey's Defence. I went with this girl, but I did not know what she was going to do—she had the shawl in her hand to look at, and the lady said she was going to steal it.

DOYLE*—GUILTY. Aged 14.

DEMPSEY*—GUILTY. Aged 15. } Confined Nine Months.

Fifth Jury, before Mr. Sergeant Arabin.

2502. JAMES MILTON was indicted for stealing, on the 29th of September, 1 watch, value 2l.; watch-chain, value 1s. 6d.; 1 seal, value 7s.; and 1 watch-key, value 6d.; the goods of Joseph Clary; to which he pleaded

GUILTY. Aged 32.—Transported for Seven Years.

2503. GEORGE BROWN was indicted for stealing, on the 17th of September, 1 watch, value 10l., the goods of Henry Marsh.—2nd COURT, stating it to be the goods of Henry Barrance.

PHILIP HENRY EVANS. I am apprentice to Henry Marsh, a watch-maker, in Down-street, Piccadilly. The prisoner came on the 17th of September—I did not know him before—he said he came for a watch that had been left there in the name of Smith, and pointed to one in the window, and said that was it—he said that before I said any thing to him—I took the watch, and said it was left by one of Lord Dacre's servants—he said, “Oh yes, that is my brother-in-law”—I said it was not done, my master was out of town, if he would leave it a few days we would get it done—he said he was going out of town till Monday, and he would take

it, and if it would not do he would bring it back—I let him have it—it was the watch Mr. Moss had left with us.

Cross-examined by MR. PRENDERGAST. Q. Are you sure the prisoner is the person? A. Yes, quite sure—I think I saw him again on Friday week—I could not be positive at first, but I knew him—I did not put any name on the watch—we do not put any thing down in the book till the work is done.

FREDERICK MOSS. I took the watch to Mr. Marsh's to be cleaned—I authorised no one to fetch it away—I took it for a friend named Barrance—when I called for it it was gone—no one had any authority from me to fetch it.

Cross-examined. Q. When did you leave it with Evans? A. On the 15th, and on the 23rd I heard that it was gone—this is it.

ROBERT JACKSON. I am a policeman. I took the prisoner in Oxford-street—I found on him 4*l.* 9*s.* 2*d.*

Cross-examined. Q. Did he not ask you to go with him to the railroad, and tell you you would there find his brother-in-law? A. No; he said he had paid his fare by the coach, and he should lose his place if I did not let him go—he did not want me to go any where with him except to have something to drink—he did not tell me I should find a person who knew him.

JURY. Q. How came you to know the prisoner? A. I received information from a person in Bond-street, and about ten minutes after the prisoner passed with a pilot-coat on—before that I had seen him without one.

Prisoner's Defence. I offered him to pay a cab to take him where I could prove I had been authorised to go for the watch. *Witness.* He did not.

GUILTY. Aged 54.—Transported for Seven Years.

2504. GEORGE BROWN was again indicted for stealing, on the 15th of September, 1 watch, value 6*l.*, the goods of David Hughes.—2nd COUNT, stating it to be the goods of Richard Clarke Austin.

DAVID HUGHES. I am a watchmaker, and live in Frith-street, Soho. On the 15th of September the prisoner came, and said he called for his watch, and asked if it was done—I asked what name he left it in—he said, “Brown”—I looked over my book, and told him I had no watch left in that name—he pointed to one in the window, and said, “That is mine”—I took it down, looked at my book again, and saw it was booked in another name—he said, “Very likely my brother-in-law left it in his own name” I asked his brother-in-law's name—he said, “Austin,” which was the name in which it had been left—I made no hesitation in giving it to him.

Cross-examined by MR. PRENDERGAST. Q. You delivered it to him, believing the pretence he made, that it was left by his brother-in-law? A. Yes—I did not see him again till after he was in custody at Marlborough-street, I think in about a fortnight or three weeks—I positively swear he is the man—I recollect his countenance—he was dressed in a black coat—the watch has not been found.

RICHARD CLARK AUSTIN. This was my watch—I had left it with Mr. Hughes's shopman—I have not the slightest knowledge of the prisoner—I never sent him any where—I have entirely lost the watch.

Cross-examined. Q. What sort of a watch was it? A. A silver hunter, capped and jewelled, made by Spurge, of Woolwich.

GUILTY. Aged 54.—Transported for Seven Years more.

2505. GEORGE BROWN was indicted for stealing, on the 18th of September, 1 watch, value 1*l.* 5*s.*, the goods of Alexander Smart.—2nd Count, stating it to be the goods of William Whitten.

ALEXANDER SMART. I am a watchmaker, and live in South Audley-street. I had a watch belonging to William Whitten—it was left by a person named Carter, who has since changed her name—I was at home on the 18th of September—the prisoner came into the shop, and asked for a watch, in the name of Smith—on looking over my watches I told him I had not one in that name—on asking him several questions, as to the colour of the ribbon and other things, he said it was a great misfortune he was deaf, and then he said, perhaps it was left in the name of Carter, who was his brother-in-law, and having a watch in that name, I asked him if that one was it—he said it was, it belonged to his brother-in-law—he took it away—he said he should have another to repair in a day or two, and he would bring it—there was nothing to pay for this, as it was merely to be regulated—he was dressed in a drab coat then, and when in custody he had a pilot coat on—I am sure he is the man—the watch is lost.

MARY WHITTEN. I took my husband's watch to the shop—it was an old silver one, and rather large—I do not know the number.

GUILTY.—Aged 54.

2506. CATHERINE BOX and CATHERINE HENNESSEY were indicted for stealing, on the 26th of September, 1 canvas bag, value 2*d.* 11 sovereigns, and 1 10*l.* Bank-note; the property of John Frederick Olander, from his person.

JOHN FREDERICK OLANDER. I am a ship-chandler, and live in Lime-house. I was going my nearest way home from Tower-hill—I was a little the worse for liquor, but I could take care of myself—these women accosted me in the street, and got into conversation—they came out of a house, and said they had been very ill-used, and begged I would treat them—I said I would do so if I could find a house open—they directed me to the house of a Mr. Hall, in Rosemary-lane—I treated them to a few glasses of wine—I staid about three quarters of an hour—I asked a policeman which was the best way home—he directed me—the prisoners followed me, took hold of my arm, they insisted on seeing me part of the way, and wanted me to go somewhere with them—I said, “I will not, I am captain of a ship, and want to sail to-morrow morning”—I said that for the purpose of getting rid of them—I had a yellow canvas bag, containing a 10*l.* note and eleven sovereigns, in my right-side breeches' pocket—when I came towards Cannon-street road they endeavoured to take liberties with me—I resisted it—they were one on each side of me when the robbery was committed—I am almost positive that Box put her hand into my pocket, and took the bag, and handed it to Hennessey—Box said directly, “Will you go with me?”—I said, “No”—they went away, and I was glad to get rid of them—I put my hands in my pockets to walk, as I usually do, and missed my money—I called out “Police,” and the policeman came—I am quite sure the prisoners are the girls—I have not recovered my money.

Cross-examined by Mr. PHILLIPS. Q. You have always said you lost your money? A. Yes, I said so before the Magistrate—I knew what I was about there—I did not tell the Magistrate that Box put her hand into my pocket and took out the bag—I said that they robbed me—I did not say either of them put their hands into my pocket—I had not drank too

much—I had been in very respectable company—we had had a few bottles of wine in a company of seven—I cannot state the quantity—it was nothing but wine—there might be some beer at meals—I had not drank any thing after dinner—I do not know what time I dined—I drank no spirits at supper—nor punch—I had supper at a public-house—I was in the public-house about three quarters of an hour—I drank about three glasses of sherry there, and a bottle of ginger beer, nothing else—I gave the women the same, except the ginger-beer, but I do not know what I paid—I did not describe to any body what these young women had on their heads, because I was not asked—Kidner told the Magistrate one had a bonnet on, and the other a cap with a shawl—if the policeman says I was drunk he must be wrong—I have not said that I believe Box put her hand into my pocket—I do not know where Pell-street is—I did not call for three glasses of wine in a house where the lady had no wine to give me—I did not call for three glasses of brandy—I was quite sober when I told them that I have been a captain.

Cross-examined by MR. PAYNE. Q. What countryman are you? A. Swede.

EDWARD HALL. I keep the Hampshire Hog public-house, Rosemary-lane. Mr. Olander came to my house with the prisoners—he had four glasses of wine—he treated them—he remained there ten minutes and then went out again—he took out a canvas bag, and I saw a quantity of sovereigns and a Bank note—they then all went out together, came in a second time, and had a glass of wine each—the prosecutor paid half a crown each time—the third time he gave me a sovereign—I gave him four half-crowns and eight shillings, which he put into the bag in his pocket.

Cross-examined by MR. PHILLIPS. Q. How much money altogether did he pay you? A. 7s.—he took 7s. worth of liquor in my house—the women were with him—it was about a quarter-past one when they left the last time—the prosecutor had another glass after that—he put down 1s., and I asked for 2d. more.

DANIEL SUGG (*police-sergeant H 17.*) On the night of the 25th of September, I saw the two prisoners walking with the prosecutor in Cable-street—they went towards the Commercial-road—the next time I saw the prisoners was about half-past one o'clock—they were then kicking up a row at Mr. Hall's doors—I asked what was the matter—they said that the landlord had a sovereign of a gentleman—the landlord came out, and while the prisoners were wrangling with him the prosecutor came up—the prisoners said, "Here is the gentleman, he will tell you all about it"—I said to the prosecutor, "Are you satisfied that this publican has not got a sovereign of yours?"—he said, "I am, it is all right"—he then asked the way to Limehouse—I directed him, and drove the prisoners on the other side of the way—they then crossed and followed him.

Cross-examined by MR. PAYNE. Q. Was he sober? A. He had been drinking, but could walk straight along.

JOSIAH CHAPLIN. I am a policeman. On the 26th of September, I apprehended the prisoners at the Crown and Shears public-house, at Sparrow-corner—I said they were charged with robbing a gentleman of 20l. odd—as they were going along a lad passed us twice—I saw Hennessy pass her hand to his hand, and he ran away very fast.

NOT GUILTY.

2507. JOHN DAVIS was indicted for stealing, on the 19th of October, 1 5*l.* Bank-note, the property of John Henry Treemanhere.

CATHERINE FOX. I am servant to Mr. John Henry Treemanhere, who lives at Ealing. The prisoner was servant to our grocer, and was in the habit of coming for orders for the last fortnight for Mrs. Blake, his mistress—on the 19th of October, about nine o'clock in the morning, he came to know if there was any change wanting, as it was Monday morning, and the change might be paid all away, as my mistress is in the habit of changing every week to pay the tradesmen—I got a 5*l.* note from my mistress, and gave it to the prisoner to get change—he said he would get change and bring it back, but he never returned—this is the note—(examining one.)

ANN BLAKE. I am a grocer, and live at Ealing. The prisoner was in my employ a fortnight—I discharged him on the 19th, about eight o'clock—I did not send him for this—I know nothing of the 5*l.* note.

MARY LONGHURST. I keep the Horse and Groom public-house, at Ealing. The prisoner came to me and asked for change for a 5*l.* Bank-note soon after nine o'clock on Monday morning the 19th—this is the note—he said I should oblige Mrs. Blake by giving her change—I had seen him before coming from Mrs. Blake—I gave him four sovereigns and two half-sovereigns.

JOHN PASCOE (*police-sergeant T 19.*) I received information that morning, and went after the prisoner—I took him on an omnibus on his way to London—I asked him for the 5*l.* note—he made no answer—I found on him four sovereigns and two half-sovereigns.

(The prisoner received a good character.)

GUILTY. Aged 35.—Confined Six Months.

2508. CHARLOTTE NYE was indicted for concealing the birth of a male child, of which she had been delivered; to which she pleaded

GUILTY. Aged 36.—Confined One Year.

2509. ELIOENAI SHARP was indicted for forging, on the 19th of October, a certain acquittance and receipt for 7*l.* 4*s.* 6*d.*, with intent to defraud Numa Sisley.

NUMA SISLEY. I am a shawl dealer, and live in Watling-street; James Sharp, the prisoner's father, is a shawl maker. On Monday morning last the prisoner came to my counting-house and said he called from his father for the money for a bill of 7*l.* 4*s.* 6*d.*, which he presented—I told him to look in the next morning, and I would look over the account—he said his father had some bills to pay that morning, and he would be obliged to me for the money—I did not know the prisoner before, but after he told me his father wanted the money I drew a cheque for the amount and gave it to him—I asked him for a receipt—he wrote this receipt, and signed it "James Sharp."

Prisoner. Q. Did you owe the money, or did your brother? A. My brother did.

JAMES SHARP. I am a shawl maker. The prisoner is my eldest son—he lived with me till last Saturday evening, when he absented himself—I had employed him in my business—he made out two bills for what Mr. Sisley owed me—one he took away, and one he left—I did not give him authority to go to Mr. Sisley, and receive the money on my account—I knew nothing of it—the prisoner's name is Elioenai, not James—this receipt (*looking at it*) is not my writing, nor written by my consent or knowledge.

THOMAS COVELL HANSON (*City police-constable, No. 461.*) I was on duty in Watling-street, and took the prisoner—I saw his mouth moving, and found the remains of the cheque in his mouth.

Prisoner. I do not see that receiving that bill would defraud the prosecutor at all; if it would defraud any body it was my father.

GUILTY. Aged 16.—Transported for Seven Years—Convict Ship.

2510. HENRY VERNEY was indicted for stealing, on the 19th of September, 1 wine-strainer, value 3s., the goods of Robert Vaughan Wynne Williams; to which he pleaded

GUILTY.* Aged 22.—Transported for Seven Years.

2511. JOHN GEORGE FOX was indicted for stealing, on the 21st of October, 1 bag, value 2d., and 138 Spanish dollars, value 30l., the property of Francisco Johan; to which he pleaded

GUILTY. Aged 55.—Confined One Year.

OLD COURT.—Friday, October 23rd, 1840.

First Jury, before Mr. Sergeant Arabin.

2512. WILLIAM WILLIAMS was indicted for breaking and entering the dwelling-house of William Avery and another, on the 19th of October, at St. Martin, Ludgate, and stealing therein 2 watches, value 20l.; 1 seal, value 4s.; 1 watch-key, value 1s.; and 1 ring, value 1s.; their property; to which he pleaded

GUILTY. Confined Six Months.

2513. WILLIAM JONES was indicted for stealing, on the 2nd of October, 1 saw, value 1s., the goods of Thomas Badkin; and 1 plane, value 1s., the goods of James Price.

RICHARD APPLETON. I am a gardener, and live at Haggerstone. Mr. Badkin's garden faces the one I look after—on the 2nd of October I saw the prisoner come from a garden at the back of Mr. Badkin's, and stoop down towards the summer-house—he was a stranger—I suspected, and stopped him, and said, "Who told you to go in there?"—he said Mr. Jones had sent him for them—he had the saw and the plane under his arm—there is no such person as Mr. Jones there.

THOMAS BADKIN. This is my saw—I left it in a box in the summer-house—I do not know that I ever saw the prisoner.

JAMES PRICE. I am an artist in fire-works. This plane is mine—I left it in the box in the summer-house—I never sent the prisoner for it—I never saw him before.

GUILTY. Aged 24.—Recommended to mercy.—Confined Three Months.

2514. MARY HARRINGTON was indicted for stealing, on the 5th of October, 2 pillow-cases, value 1s. 6d., and 1 handkerchief, value 2s. 6d., the goods of George Smellie.

WILLIAM WALTER WILMIN. I manage the business of George Smellie, a pawnbroker, in High-street, Shadwell. About six o'clock, on Monday evening the 5th of October, I observed the prisoner outside the shop—from information I had received before, and from what I had seen, I knew that she had come for the purpose of thieving—I placed myself behind a half-glazed door—when I had done so about five minutes, she came into the shop, and passed along a row of cloaks and gowns—these pillow-cases were

suspended aloft by a piece of string, and as she came by, she pulled them down, and put them behind some curtains—she then mixed with the persons pledging—I watched her about half an hour, when she saw the coast clear she stooped down, and picked them up—I came out, put my hand on her, and asked what she had got—she said, “What! nothing”—she had frequently been in to buy and pledge, but on this occasion she wanted nothing—I caught hold of her by the wrist, and threw her backwards, and these things lay at her feet—I snatched them up from between her ankles, and said, “I have got you at last”—I held her till a policeman came—she had not got out of the shop when I took the pillow-cases from her.

WILLIAM PARAMORE. I am a policeman. I took her into custody.

Prisoner's Defence (written.) On the 5th of October I went into the shop to stop the ticket of a bed-gown I had lost; I was coming out; there were a great many people there; while stooping to take some dirt off, which had got on my shoes, I happened to lay my hand on a parcel which was in the passage; the shopman took hold of me, and asked what I was doing; I said that I had nothing; he called a policeman, and gave me in charge; he then said the gown I had on was theirs, which I had bought in Petticoat-lane for 3s. 6d.

GUILTY. Aged 22.—Transported for Seven Years.

2515. **MARY HARRINGTON** was again indicted for stealing, on the 1st of October, 1 gown, value 4s. 6d., the goods of George Smellie.

WILLIAM WALTER WILMIN. On the 1st of October the prisoner came to our shop about three o'clock in the afternoon—this gown was hanging up on a row of gowns—she came to the counter with two tickets, for a gown and shawl, and asked me if the ticket of a petticoat was among them—I said not—she left the shop, and returned with a ticket of a petticoat and shawl, and asked if the ticket of a gown was among them—I said, “No, you foolish woman, you brought the ticket of a gown in just now”—she stood about some time, and then went out, and as I passed by, to go to my tea, at four o'clock, I missed the gown—about seven o'clock in the evening I saw her come into the shop again—I planted a boy behind the counter to watch her—I also got over the counter to watch her—she took down another gown, rolled it up, and put it behind a sea-bed—she observed the customers looking at her, and went out of the shop without taking that gown—I hung it up again—this is the gown she took away the first time—I found it pawned at the shop of Mr. Hawes, at Ratcliff.

CHARLES SCOTT. I live with Mr. Hawes, a pawnbroker, in High-street. This gown was pledged by the prisoner on Thursday evening, the 1st of October.

Prisoner. What the prosecutor states is false.

GUILTY. Transported for Seven Years more.

(There was another indictment against the prisoner.)

Before Mr. Justice Bosanquet.

2516. **WILLIAM RODGERSON** was indicted, for that he being employed in the Post-office, on the 27th of August, did steal a certain post-letter containing 1 half-sovereign, 1 shilling, and 7 5l. Bank notes;—also for stealing, on the 11th of September, a certain post-letter containing 1 watch, value 42l., and 1 watch-case, value 6d.;—also for stealing, on the 17th of September, a certain post-letter, containing 4 gold chains, value 30l.;—also for stealing, on the 24th of September, 6 post-letters, one containing goods and monies; the same letters, monies, and goods being respectively

the property of her Majesty's Post-Master General; to all of which indictments he pleaded

GUILTY. Aged 29.—Transported for Life.

(James Pinkney, hatter, High-street, Poplar; James Miller, watch-maker, High-street, Poplar; James Blake, No. 58, Penny-fields, Poplar; Abraham Purdy, baker, of High-street, Poplar; George Burrow, surgeon, ditto; Robert Godby, currier, ditto; Richard Blackler, musician, ditto; Henry Beamish, baker, ditto; David Craig, of Penny-fields; Thomas Banner, butcher, ditto; Fleming Revel, Nine Elms; and Thomas Faley, Glasshouse-yard, Aldersgate-street; deposed to the prisoner's good character.)

Before Mr. Justice Erskine.

2517. **WILLIAM DUDLEY** was indicted for feloniously forging and uttering, on the 11th of August, an order for the payment of 4*l.* 10*s.*, with intent to defraud William Masterman and others.—6 other COUNTS, varying the manner of stating the charge.

MESSRS. PHILLIPS and DOANE conducted the Prosecution.

ALEXANDER THOMPSON. I am bailiff to Sir Howard Elphinstone, who lives near Hastings. I paid into the bank at Hastings 4*l.* 10*s.* on August the 8th, on account of Mr. Patton, with instructions to the bankers to send it to Masterman's, to the account of Mr. Patton—I wrote to Mr. Patton the following day, and sent the letter by post—I sent it by a person, or put it in myself, I do not know which—I wrote again to Mr. Patton about a month after, in answer to a letter from him.

Cross-examined by MR. BALLANTINE. Q. You paid 4*l.* 10*s.* to the Hastings bank? A. I did, the day before I wrote the letter—I sometimes write many letters in the course of the day—I think, to the best of my knowledge, I sent the letter by a respectable tradesman, named Joseph Amor, to the post-office—he is still at Hastings, to the best of my knowledge.

WILLIAM SIMPSON. I am clerk to William Masterman and Co., bankers. There are more partners than one—I received advice from Smith and Holder, of Hastings—I have the letter in my hand—it is dated 8th August—I do not know when we got it—in consequence of this letter, the cheque now produced was made out as it is now, except the signature and the initials "C. H.," authorising me to pay it—they are the initials of Mr. Hogg, a clerk in the country office—these initials were on it when it was presented to me at the counter—it was made out by Mr. Moore, a clerk in the country office—it was signed and in the same condition when presented to me as it is now—it was presented on the 11th of August, I do not know whether by the prisoner or not—I paid the person.

Cross-examined. Q. Is this cheque supposed to be sent by the party to whom the money is to be paid, or is it produced at your banking-house to the person claiming the money? A. It lies in our banking-houses unsigned, being made out from the advices in the country office, and kept by our house until the money is applied for—the country office is in London.

COURT. Q. Then the person who sends the money has to go to your country office, get the cheque, and bring it to you? A. Yes, after it is signed, and marked by the clerk to be paid at that counter.

JOHN STEWART HOGG. I am clerk to Masterman and Co., who are correspondents of Messrs. Smith, bankers, of Hastings—this cheque was made

more so—
that time—
night after

Cross-ex-
fore? A. Y
somer said it
man; and then
about twelve
and appeared
—he is then not

Croft three times
jured at the house

CONSELLIUS M.
George's Hospital
he was admitted
leg—the larger bone
about an inch in extent
bone—I attended him
of the accident—I
with abscesses on the
—I judge of that from
which the matter is
no doubt whatever
death—the fracture
there was no dislocation
only the bones of the
was a good deal of exposure
of the leg.

Cross-examined. He
at the floor, without
was very much broken—
he would have recovered

Fourth.

2466. JAMES NOBLE.
feloniously assaulting W
stabbing and wounding
intent to kill and murder
maim and disable him—
harm.

WILLIAM METCALF. I
the Regent's-park. On the
eight and nine o'clock, the
Henry Brown, a groom named
prisoner was sitting down and
was drunk—while he was sitting
in lighting the pipes, and put
at the time—I did that twice
either time, nor did it touch
sure he said if I did it again
and put his hand into his
pocket the knife—it was shut
and that he meant to stab me with

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out in our office, from the advice we received from Hastings—I gave it to the party applying for it—I have no recollection of the individual—I do not recollect whether he signed it—it was not signed before I gave it to him—sometimes the party signs it, and sometimes they take it away—this cheque is signed.

COURT. Q. Why do you put your initials to it? A. To enable him to receive the money—I do not put my initials before the person has signed it—I did not on this occasion—I delivered the cheque up merely on the request of the person applying for it, not on the production of a letter, but on the application—after it is signed I put my initials to it to authorise the cashier to pay it.

THOMAS PATTON. I am an iron-founder, in Swan-street, Dover-road. The prisoner was my clerk, and had been so about eleven months when I dismissed him—he had one counting-house in the yard, and a seat also at my desk up stairs, in my private counting-house—it was his duty to receive letters which came by post—I did not receive a letter from Mr. Thompson from the 8th to the 11th August—Sir Howard Elphinstone is a customer of mine—I had an account of 4*l.* 11*s.* 6*d.* with him at the time, which he owed me—in consequence of something which transpired, I dismissed the prisoner on the 5th of September, and paid him his wages—I wrote to Mr. Thompson after the prisoner was gone, and received an answer, which took me to Mastermans' for a cheque, which I supposed was there for me, for 4*l.* 10*s.*—I did not find it there—I afterwards saw this cheque at Masterman's—I never received the 4*l.* 10*s.*—I have examined this cheque, and believe the signature to be the prisoner's hand-writing—I never authorized him to sign my name to any cheque, nor to any document, except a receipt, by proxy—I knew nothing of this till I saw it at Masterman's.

Cross-examined. Q. Are you in a large way of business? A. I am—I have thirty or forty men sometimes—they come some at four or five, and some at six o'clock, as business requires—they have no business to be later than that—I have no persons employed in book-keeping—the parties who come are generally workmen, engineers, and founders—the prisoner's business was to load carts, and receive the weights of goods coming in, and post the day-book into the journal—I am positive this signature is his hand-writing—he gives receipts to persons leaving money in my absence—I have none of them here—I could have brought plenty—he would sign receipts “Wm. Dudley for T. Patton.”

COURT. Q. You believe this to be his hand-writing; can you undertake to swear positively it is not your own? A. Yes—I never gave any person authority to sign cheques for me, I always sign my own—the prisoner was authorised to receive letters in my absence, but not to open them—I had opportunities of seeing him write from morning to night at times, for several hours together—this is not an imitation of my writing—it is much thicker than mine, and not written in my style—(*Cheque read.*)

MR. BALLANTINE called

ADAM DIXON. I am a baker in the Strand, and have lived there many years—the prisoner was in my employ about nine months, and attended to my out-door trade—I received a good character with him—he was one of the most respectable men I ever had—he left because I had no further occasion for him—I discontinued the line I was pursuing at that time, and advertised myself to get him a situation.

COURT. Q. While he was in your employ had you opportunities of see-

ing him write? *A.* Yes—I think I am able to judge of his hand-writing—he has left me about eleven months—he went to Mr. Patton's from me—(*looking at the signature to the cheque*)—I cannot swear to this being the prisoner's writing—I would not swear either way, but it does not resemble his way of writing—it is much larger writing than he writes—to the best of my belief, I would swear it is not the hand-writing he was in the habit of writing with me—I believe it is not his. NOT GUILTY.

2518. THOMAS OSBORNE was indicted for unlawfully, maliciously, and feloniously assaulting John Wadey, on the 10th of October, and cutting and wounding him in and upon the right side of the body and right hip, with intent to do him some grievous bodily harm.

JOHN WADEY. I am a glass-coachman. On Saturday night, the 10th of October, a little before twelve o'clock, I was crossing the road from the Alsop Arms public-house, at the corner of Upper Gloucester-street, New-road, near Dorset-square—as I crossed, a bunch of turnips were thrown against me—I did not see who did it—there were three or four men standing together, and it appeared to come from them—I threw it back again, and the prisoner threw it back to me again—I am confident it was the prisoner—it was a very moonlight night—I knew him before—I was in the act of throwing them again, and he ran in and cut me in the side, and said, “There you b——, take that”—I felt the blood running from my side, and felt what I thought was a blow at first, and put my hand to my side directly I felt the blood running—I did not see any thing in the prisoner's hand—there was no one but him within two or three yards of me—I ran for assistance, and met Mr. Farrow eight or nine yards from where it happened, and William Neil, a cab-driver—I said I was cut in my side, and wished they would take me somewhere where I could have something done to it—they took me to the infirmary—my side was examined there—I found a large cut in my side—I had done nothing to the prisoner before he struck me but throw the turnips at him.

JOHN FORTMAN. I am a coach-maker's labourer. On the night of Saturday, the 10th of October, a little before twelve o'clock, I was at the Alsop Arms public-house, New-road, and saw the prisoner close by, in the act of closing a razor, which he had in his hand—I saw something thrown towards the prisoner, and directly after I saw him closing the razor—I did not see him go anywhere after that was thrown at him—I stood at the corner of Alsop Mews—I know Wadey—I cannot say that I saw him there then—I had seen him before—the prisoner appeared to be sober—he said he had bought the razor a few minutes before—I and another man stood at the corner of the mews, and he said, “If any more of your larks, I will rip your b— guts open.”

THOMAS FARROW. I am a cabinet-maker, and live at No. 10, North-street, Manchester-square. On Saturday night, the 10th of October, just before twelve o'clock, I was in the Alsop Arms public-house—I have seen the prisoner before, and saw him that night, and also saw Wadey there—I saw some greens thrown from the opposite side—they were not thrown at the prisoner at first—I afterwards saw Wadey throw them at him—he took them up again and threw them at Wadey, who took them up again, and was in the act of throwing them at the prisoner, when the prisoner ran with great violence and struck him a blow—I cannot say whether he had anything in his hand at the time—Wadey came over to me and Neil, and complained

of being cut—we took him to the infirmary and saw him examined, and there was a wound on his right-side,

WILLIAM NEIL. I was present at the Alsop Arms public-house, and saw what happened.

JOHN FREDERICK NICHOLSON. I am house-surgeon of the Western General Dispensary, in the New-road. I remember Wadey being brought there on Saturday, the 10th of October, between twelve and one o'clock—I examined him, and found a wound on his right-side, about an inch below the hip-bone—it was a clear incised wound from two and a half to three inches long, and about two inches deep—my little finger would hardly reach the bottom of it—a razor would have inflicted that wound—I cannot say whether it had reached the bone or not—I attended him afterwards—it was not serious in its nature, only as it approached the important parts—it was near parts where it might have been attended with serious consequences—it was across the leg-bone, evidently proceeding rather upwards towards the abdomen—I imagine it must have been a clear cut at first, and something turned his arm, so that it went up between the muscles, or it must have reached the hip-bone.

Prisoner's Defence. I was on my way home to take my rest, and five or six of them said, "Here comes *Old Tom*, give it him"—they knocked me down three times running, and John Wadey ran out and knocked me down again—I said, "Leave off *skylarking*, I want to go home, having to be up early to-morrow morning"—they kept on at me—the razor was in my hand—I went to stoop to throw at him again, and made a slip, and it cut him right in the side—I did not go to do it.

JOHN WADEY (*re-examined.*) I did not strike him at all—I was not close enough to him—at the time I was wounded he was not in the act of picking up the turnips—it was done on purpose—he said, "There you b—take that."

GUILTY. Aged 27.—Recommended to mercy.—Confined Two Years.

Before Mr. Justice Bosanquet.

2519. JOHN BRETT was indicted for burglariously breaking and entering the dwelling-house of Sarah Miranda, on the 18th of August, at St Pancras, about two in the night, with intent to steal, and stealing therein 1 medal, value 1s. 2d.; 1 sixpence, 1 penny, 1 halfpenny, and 1 farthing: the property of Susannah Newton.

JANE GREEN. I am a widow, and am in the service of Sarah Miranda No. 27, Grafton-street, Fitzroy-square, in the parish of St. Pancras. Dr Lee lodges there—it is Mrs. Miranda's house—there are two kitchens—Dr. Lee has the front kitchen, and Mrs. Miranda the back—my bed-room is between the two kitchens, quite close to the front kitchen—on Friday morning, the 18th of September, I was disturbed about a quarter before three o'clock, by a noise in the front kitchen, as if Dr. Lee's servant had put down a coal-scuttle—I then heard a crackling like lighting a fire or getting a light with lucifers—I laid for about a minute—the noise stopped—I thought the servant was ill, and I went to the door to ask her—the door was fast—I thought it was fast inside, instead of which she had locked it herself before she went to bed—the key was in the door outside, but I did not observe it till afterwards—I thought she was in the room and said, "Susan, open the door"—there was no answer—I again said, "Open the door and let me come to you;" and then somebody said, "Susan is here," twice.

I then said, "Let her speak, and I shall know her voice"—there was no answer for a minute, and then I said, "My G—here is a thief in the house"—I double-locked the door, and the thief tried it to see if it was fast—I told him I had locked the door that he could not come out—I then went up stairs as fast as I could, and hallooed to Dr. Lee, who called his servant to open her bed-room window to call the police, which she did, and my mistress hearing the noise got out of bed, opened her window, and sprang the rattle—I hastened down stairs as fast as I could, and as I got down in the hall I heard the thief go out of the window—the policeman brought the prisoner to the front-door—I unlocked the door, went into the kitchen with the policeman, and found the window shutter broken and hanging by the bar which fastened it to the other shutter—there was a candle burning—I found some lucifer matches on the floor and one on the table.

SUSANNAH NEWTON. I am servant to Dr. Lee. I sleep in the attic—I fastened the front-kitchen window about seven o'clock in the evening in question, all quite secure—I locked the door once, and left the key on the outside—the door is next to Green's sleeping-room—the window was fastened with an iron bar across two shutters—I went to bed about a quarter or half-past ten o'clock—I was disturbed in the morning by Green—I threw up my bed-room window, and called "Police" several times—I saw the prisoner climb over the area gate, and saw the policeman take him—I went down into the kitchen, and found the candle burning—the drawers were opened, which were shut over night, and things tumbled about—I missed from my work-box a sixpence, a penny, a half-penny, a farthing, and a medal—the shutter was broken from the hinge—the hinge was broken from the wood part, and the window thrown up so that a person could get in—I knew the prisoner before—he was in the habit of coming backwards and forwards to Grafton-street to paint and do carpenter's work, or any thing there was to do—he was employed by Mrs. Miranda—he had done that for about a year and a half after I was in the house—he once paid his addresses to Mrs. Miranda's niece, who was her servant, but she had left three months, Green succeeded her—the last time I saw him in the house was when he came to put in a pane of glass, about twelve months ago.

Cross-examined by Mr. DOANE. Q. He used to come to the house with Mrs. Miranda's knowledge, I believe? A. Yes—I have known him two years and a half—I have no reason to believe he did not bear a good character.

ROBERT LESTER. I am a policeman. I was on duty—I heard a cry of "Police," and saw the prisoner running towards me with his coat off, and his waistcoat unbuttoned—I stopped him about twenty yards from the house, and took him back—I saw the servant looking out of window, and told her I had got him—while I was waiting for the door being opened he said, "Let me put on my coat"—he did so—I took him into the hall, searched him, and, in his left-hand trousers' pocket, found a sixpence, a penny, a half-penny, a farthing, and a medal—I then gave him over to another constable, and went down to the kitchen—I found the drawers open, and the contents knocked about—the window shutter was forced off the hinges on one side, and the window open—on the table I saw a lucifer match, and I saw Green pick these portions of matches off the ground—I took him to the station-house, and after the charge was entered against him, I said, "Do you desire to say any thing?"—he said, "I have done it"—I ob-

served a button forced from the front of his trowsers, and in searching the area, I found one corresponding with the others on his trowsers—I have omitted to mention that in the hall I found in his hat a strap and handkerchief which have not been claimed.

SUSANNAH NEWTON *re-examined*. I know this medal to be what I lost—I have the corresponding one—the others are exactly the same sort of coins as I lost—I can speak positively to the medal.

(Henry Tubb, dealer in musical instruments, New-cut; Thomas Knight, publican, Warwick-lane; Henry M. Bayfield, publican, Brill-row, Somers'-town; Joseph Jackson, shoemaker, Brill-row; and Joshua Gander, brick-layer, Charles-street, Hampstead-road, gave the prisoner a good character.)

GUILTY. Aged 19.—*Strongly recommended to mercy.*
Transported for Ten Years.

Before Mr. Justice Erskine.

2520. THOMAS HOLDER was indicted for stealing, on the 30th of September, at St. Mary Islington, 1 box, value 2s.; 3 watches, value 22l.; 2 pairs of ear-rings, value 15s.; 2 brooches, value 6s.; 7 thimbles, value 7s.; and 23 rings, value 1l., the goods of Thomas William Downes, in his dwelling-house.

WILLIAM DUFFETT. I am porter to Mr. Noble, a wine-merchant, 43, Hedge-row, Islington. Mr. Downes, the jeweller's shop, is three doors from my master's, on the same side of the way. On the morning of the 30th of September, a little after seven o'clock, I was sweeping the front of my master's door—I saw Mr. Downes's porter take down two shutters from his window and take them into the side passage—I then saw the prisoner pass him very quick, and I saw him enter the shop—he remained inside about one minute, and I saw him come out—he had nothing in his hand when he went in—he came out with a little glass box under his left arm, and went right across the road—he looked round, and I pointed to him—he ran straight across the road, through a passage called Pierpont-row—I followed, and lost sight of him in the passage while he turned the corner—I ran through the passage, down Charlton-crescent, and there saw him running with the same glass case under his arm—I kept running—Henry Gulleford was running rather before me—I lost sight of him again in turning the corner, and saw him again in the field without his coat and cap—he had not the glass case then—I had not seen him throw it away—he was running across the fields—I hallooed out "Stop thief," and he called out that he had only broken a window—some men at work there told him to jump over the wall—he did so, and kept running on—I jumped over the wall after him, and just as he got under the canal-bridge some labouring men stopped him close by the canal on the towing-path—he was brought back to Downes's shop—I saw Gulleford pick up the pieces of the glass case just by the railings of the river—they were carried back to the shop.

Cross-examined by MR. DOANE. Q. Had he a coat on when you first saw him? A. Yes, and a paper cap—perhaps I might not tell the Magistrate that I heard the prisoner say he had only broken a window—I might forget it—I did hear him say so, and I heard the men say, "Get over the wall"—I was not far behind him then—I did not stop to tell them he had stolen a case—I lost sight of him twice—the last time was getting over the bridge—when I saw him in custody he had no coat or cap on.

HENRY GULLEFORD. I am porter to Mr. Barker, of Hedge-row, two doors from Mr. Downes. On the morning of the 30th of September I saw the prisoner cross the road with the case under his arm, going from Mr. Downes's house—I could only see a small portion of the case under his coat—he had a coat on then, and a paper cap—he ran down Camden-passage and along Charlton-crescent—I crossed the road, and went in the direction of Charlton-crescent by another turning, and saw him go down Charlton-crescent—he then had his coat and cap on—I followed him—he turned round to the right hand coming out of Charlton-crescent into Colebrook-row, and immediately threw the case away in the direction of the river, but it caught the rails, bounced back, and broke in halves—he ran on | I followed him across the fields, where some men were digging, and saw him take off his coat and cap and throw them away—he still kept running on across the field by the sawyers—I hallooed out, "Stop him"—the sawyers were going to stop him, but he said he had only broken a window, he immediately jumped over the wall, and ran alongside of the wall by the canal, and as he got by the bridge Mr. Wild stopped him—I went back to where I had seen him throw the case away, and took it up—there was nothing in it, but the things were scattered about near it—I took them back to Mr. Downes—I am quite sure the prisoner is the man I saw throw away the case.

Cross-examined. Q. Did not he deny that he was the person? A. Yes—it was a cap he had on—I never said he had a hat—I had never seen him before—his back was to me when he crossed the road, and in the pursuit.

COURT. Q. What was done with the box? A. I put it on Mr. Downes's counter, and presently Mr. Downes came down, and took it off the counter—I picked up the things, which are now here—they were given to Wakefield the policeman, in my presence.

GEORGE WILD. I am a tailor. On the 30th of September I saw the prisoner running across the brick-field, as I stood on the bridge—he had no coat nor hat on—I saw several people running after him—he jumped over the wall towards the canal—I immediately ran down the other side of the bridge, and I and another person met him at the end of the bridge—he was running then—I stopped him, and took him back to Mr. Downes, and he was given in charge.

JOHN WAKEFIELD. I am a policeman. The prisoner was given into my custody on the 30th of September, in Mr. Downes's shop, with this case of jewellery, which has been in my possession ever since—Gulleford was there at the time.

THOMAS WILLIAM DOWNES. I am a jeweller, and live at No. 40, Hedge-row, in the parish of St. Mary, Islington; the shop is part of the dwelling-house, and communicates with it internally. On the 30th of September, between seven and eight o'clock in the morning, I was called down, and found the prisoner in my shop, with the witnesses—I saw this case, which Gulleford was standing by the side of—I examined it and the articles, they are my property—I had seen it safe the night previous, after the shop was closed, as the gas was being put out—they are worth 25*l.*—I cannot say whether I have seen the prisoner before—Jackman, my porter, opened the shop that morning.

GUILTY. Aged 23.—Transported for Ten Years.

Before Justice Bosanquet.

2521. JOHN M. CARTHY was indicted for stealing, on the 11th of

September, 55 yards of calico, value 1*l.* 12*s.*, the goods of George Mousir; and that he had been before convicted of felony.

JOHN STOCKER. I live in Carlisle-street, Portman-market, and am errand-boy to Mr. Bury, a poulterer in King-street, Golden-square. On the 11th of September, a little before eight o'clock in the evening, I was standing at the corner of Golden-street, with Edward Phillips, and saw the prisoner go into the prosecutor's shop, in High-street—he stooped rather as he went in, and brought out a piece of white cloth—he ran round Bowling-street, and down Little Marylebone-street—I ran down High-street, the other way, up Great Marylebone-street, and met him at the corner of a street, opposite Welbeck-street, with the cloth—he went down Welbeck-street, turned down Wigmore-street, and into a house in Barrett's-court, with the cloth—I came back to the prosecutor's shop, and told them.

Cross-examined by **MR. CLARKSON.** *Q.* Has the calico ever been found? *A.* No—I did not know the prisoner before—I was very near to him—I did not speak to him, nor call "Stop thief"—Phillips and I were taking a walk up and down the street—I left work at seven o'clock—I met Phillips at the corner of High-street—I knew him before—we generally meet about eight o'clock every night, and walk about till nine o'clock—Phillips lives in Gray's-buildings, Duke-street, Manchester-square—he told me he knew the prisoner before—he did not tell me he had had a quarrel with him, and the prisoner had cut his face and eye, I never heard of that.

ELIZABETH MOUSIR. I am the wife of George Mousir, a hosier. On the 11th of September, a little before eight o'clock in the evening, I was coming from within our shop to the door, and as I turned round, I saw a person's arm taking the calico from the shelf, which is about a yard from the door, in the shop, and about a yard high—I could see the person, but not to recognise him—he was in a stooping position—I could not say whether it was a man or a boy—I called the young man in the shop to stop him, and ran out—I saw people running—I did not know Stocker—he came about half an hour after by himself, and gave me information.

Cross-examined. *Q.* Was the door open? *A.* Yes—the shelf was full of goods—it laid on the shelf, any body could see it—I believe it was the nearest article to the door—it is calico, not long cloth.

EDWARD PHILLIPS. I am a paper-stainer, and live in Gray's-buildings, Duke-street. On the evening in question, I was walking with Stocker in High-street, about eight o'clock—I saw the prisoner and another person pass by me several times—I knew the prisoner before, and knew the other person by sight—I did not see any thing done—as I stood at the corner of Bowling-street, I saw the prisoner alone pass by a tinman's door, with a bundle of something white under his arm—he went down Bowling-street and Little Marylebone-street—I did not follow him—Stocker did.

Cross-examined. *Q.* What sort of a paper-stainer are you? *A.* I am an out-door apprentice to Mr. Martin, of York-street, Westminster—I leave work at six o'clock—the prisoner is no acquaintance of mine—I have known him several years by sight, but not to speak to him—I am in the habit of meeting Stocker very nearly every night—I met him that night accidentally at the corner of High-street—I was talking to him for about half an-hour before I saw the prisoner—the prisoner and I had a little quarrel once—I got no black eye, or any thing—he never beat me—it was the place where he lived fighting against our place—Gray's-buildings again.

Barrett-court—my father is an Englishman—I was in a little of the skirmish—I was with Stocker all the time the prisoner was in sight—I lost sight of him—when I first saw him, we had stopped at the corner of Bowling-street, and were just going to turn round—the prosecutor's house is a good way from the station-house—I could run there in two or three minutes—I saw Stocker run, and knew why he ran—I never thought of going to tell the prosecutor—nor did I cry “Stop thief.”

ELEY HENNEN. I am a broker, and live at No. 18, Barrett's-court. On the Friday evening, at near eight o'clock, I was in the court opposite No. 16, talking to Mr. Ingle—Stocker came up and spoke to me, and I went to look for a policeman, but could not find one—I returned in about two minutes—Stocker was still standing at the door, and he went away—in about two minutes I saw the prisoner come out of No. 16, with a bundle or something tied in a handkerchief—it was rather dark, and I could not see exactly.

Cross-examined. Q. His uncle lives at No. 16, I believe? A. He does—I was not surprised to see him come out of there—I was about two and a half yards from him—he merely came out and passed along—the bundle was a middling size—it did not appear very large, but it was almost dark—I did not pay any particular attention.

LAURENCE ANDERSON. I am a policeman. In consequence of information, I went to No. 16, Barrett's-court, about eight o'clock in the evening, but did not find the prisoner or property there—I went to several public-houses, and at last found him at the Fox, in Oxford-street, in company with several others—I told him I took him on suspicion of stealing some cloth out of High-street—he said he knew nothing of it—I took him to the station-house—on our way there he called to some of them who had followed him out of the house, “Come on, I know all about it, I will make plenty of liars out of it”—I detained him and two of those who had followed him to the station-house—when Stocker came there I asked him which of the three was the person who took the cloth, and he pointed to the prisoner—after the charge was taken, and the prisoner was told what the charge was, he again said he knew all about it, and he would make plenty of liars before he had done with it—next morning he called one of the two I had taken the night before, who was standing outside, and said to him, “Where is it?”—the other replied, “Go on, it is done with, I will tell you more about it by-and-bye”—the other two were let free.

Cross-examined. Q. How came you to take them? A. Because they were in his company, and I knew him to associate with them—they were young lads like himself—they were both shorter than him—I had on my uniform at the time he said he knew all about it—I would not let any one speak to him afterwards, and if I had been aware of it, I should not have let him say that—I have not found the cloth.

JAMES WILD. I produce a certificate of the prisoner's previous conviction—(read)—I was present at the time—he is the person who was so convicted.

GUILTY. Aged 17.—Confined Twelve Months.

Fourth Jury, before Mr. Recorder.

2522. JOHN CASHMAN was indicted for stealing, on the 10th of

October, 4lbs. weight of pork, value 2s. 8d., the goods of George Anderson ; to which he pleaded

GUILTY. Aged 47.—Confined Six Months.

2523. CHARLES PIDGEONG was indicted for embezzling 5*l.* and 14*l.* 4*s.*, the monies of William Verdin and another, his masters ; to which he pleaded

GUILTY. Aged 24.—Confined Nine Months.

(The prisoner received an excellent character.)

2524. THOMAS WINTERBOTTOM was indicted for stealing, on the 13th of October, 2 cushions, value 1*l.* 10*s.*, the goods of James Hunter ; to which he pleaded

GUILTY. Aged 38.—Confined Six Months.

2525. GEORGE CHALLIS was indicted for stealing, on the 20th of October, 1 coat, value 4*l.*, the goods of James Rayner ; to which he pleaded

GUILTY. Aged .—*Recommended to mercy.*—Confined Six Months.

2526. SIMEON ROBINSON was indicted for stealing, on the 16th of October, 1 handkerchief, value 1*s.*, the goods of William Spencer, from his person ; to which he pleaded

GUILTY. Aged .—Confined Six Months.

2527. JOHN WILLIAMS was indicted for stealing, on the 16th of October, 2 pewter pots, value 2*s.*, the goods of Edward Merritt ; and 1 pewter pot, value 1*s.*, the goods of Thomas Marshall ; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

2528. HENRY GEEVES was indicted for stealing, on the 29th of September, 8 sovereigns and 4 half-crowns, the monies of William Thomas, in his dwelling-house.

WILLIAM THOMAS. I am a clock-maker, and live at No. 2, Goswell-place, Goswell-road, in the parish of St. James's, Clerkenwell—it is my dwelling-house. I employed the prisoner to assist me in moving from No. 17, Wynyatt-street to that house, on Michaelmas-day—in the afternoon I was lying down in the front room second floor, being rather tired, and noticed him come into the room rather gently—I was not asleep, and asked what he wanted—he made no answer—I asked him again—he made no answer—I considered my wife had sent him for something, supposing he was putting the things to rights below—I happened to close my eyes—I opened them again in about a minute, and saw him going out of the room—when I laid down between two and three o'clock, I had in my pockets seven sovereigns and four half-crowns—I had left my trowsers on the side of the bed—when I got up between half-past four and five o'clock, I immediately saw that my trowsers were not where I had left them, and found my money was gone—nobody had been into the room but the prisoner and my wife—she came about four o'clock, and asked me to come down to tea, and it was before her I examined my pocket—the prisoner was gone when I came down—I afterwards found him in custody.

Cross-examined by MR. PAYNE. Q. How came you to go to bed? A. I was very tired, having been up at five o'clock in the morning, and working very hard—I was perfectly sober—I took my coat, waistcoat, and trowsers off, and laid down on the bed—I did not go to sleep—I closed

my eyes, but my hearing is very good, and if the door had opened I should have heard it—the prisoner had moved things for me before—I am quite sure the money was in my pocket when I went up to bed—I had put some of it into my pocket two hours before, and I counted the money then—Mrs. Lawley did not go into my room—I do not know whether there was a carpet on the floor.

MARGARET THOMAS. I went to call my husband to tea about half-past four o'clock—he was lying down, and missed his money from his trousers which were on the floor—I asked him where the money was—he said in his pocket, but there was none—next morning I found half-a-crown on the floor—there was no carpet down—I had paid the prisoner 4s. that morning before his work was over, as he said he had no money, and I gave him 6d. more for his dinner—he ought to have left the house at two o'clock, as I told him we did not want him any longer, but he lingered about—I saw him pass the window about three o'clock—he said he would call next morning to put the place to rights, as he was tired, but he did not come.

Cross-examined. Q. About what time was that? A. About two or half-past two o'clock—I was sitting down in the parlour in the afternoon—I remember my husband going up to bed—I was backwards and forwards, but not out of the house—there was a lodger in the first floor front-room—my husband was in the second floor front.

CHARLOTTE LAWLEY. I am the wife of Thomas Lawley, and lodge with the prosecutor. The prisoner was about the premises—I had no occasion for him up stairs after two o'clock—I employed him in my room between twelve and one o'clock—he left about half-past three o'clock, I think—I saw him in the parlour before he went.

Cross-examined. Q. Where were you from two till five o'clock? A. Down stairs mangling.

MATILDA ANN PRETTY. I live with my father at his livery stable, in Clerkenwell. On the morning of the 30th of September, about half-past eight o'clock, the prisoner came and hired a horse and chaise of my father, and paid 1s.—he was to pay 10s. for the hire, and to come for it in an hour's time—he came between nine and ten o'clock, and paid me three half-crowns, 1s. 6d., and which he took from a purse—I saw three or four sovereigns in his hand, and 7s. or 8s. in silver besides—he said he was going to Finchley, and would bring the horse and gig home at night, but he did not—I did not see them again until he was in custody.

Cross examined. Q. Had you ever seen him before? A. No—I am certain of him—he was five or ten minutes with me—the apprentice was present—my father was not there when he paid the 9s., but he was when he paid the 1s.

CHARLES PRETTY. On Wednesday, the 30th of September, the prisoner came, and asked for a horse and chaise to go to Finchley, and asked the price—I said 10s.—he paid me 1s. deposit, and said, “I shall want it in an hour's time, if you will get it ready,” which I did—I was out when he got it away—I was in search of it for two days, and found it on Friday evening at a livery stable in Stonecutter-street, by an anonymous letter—he had promised to bring it back the same night—I saw him in custody about a week after, and said he was a pretty fellow to hire my horse and chaise to go to Finchley, and to ride down to Poplar, as I had heard.

CHARLES HENWOOD (*police-constable G 75.*) I took the prisoner into custody on the 6th of October—I found 1½d. and a watch-key on him—he.

said he had got drunk, and was afraid to bring the horse and gig home—he denied taking the money.

Cross-examined. Q. Where did you find him? A. In Old-street, standing by the George public-house.

GUILTY. Aged 20.—Confined Twelve Months.

2529. JAMES STANTON was indicted for stealing, on the 10th of October, 20 razors, value 3*l.* 3*s.*, the goods of Thomas Pickford and another; his masters.

MR. PRENDERGAST conducted the Prosecution.

JOSEPH MAPPIN. I am a manufacturer of cutlery at Sheffield. On the 8th of October, I sent some cases of cutlery in a deal box, by Messrs. Pickford, directed to Mrs. Bouverie, Paris, to the care of Messrs. Swaine and Co., Piccadilly—it contained a number of razors and pen-knives—in consequence of information, I came to town last Monday, and saw the case which is here—there were three paper parcels, each containing razors enclosed in another paper—from one of the parcels I missed some razors—the outer envelope had been taken off, which was sealed, and was missing—one razor has been taken out of one parcel, and four out of another—the inner parcels were not sealed, but they had evidently been opened—the case was produced to me at the station-house—there were twenty razors in all in the envelope.

WILLIAM MILTON. I am in the employ of Messrs. Pickford and Co.—I am engaged in checking off the parcels which come by the railroad—on Saturday morning I remember this case coming—it was in a sound and proper state when it came from the wagon—it was the prisoner's business to truck away parcels which come by the wagon to the warehouse—he and Ely were so employed that morning with the other men—I afterwards received information from Ely, and went down to where the box had been placed, in what we style the "Bank"—I found the box broken open and apparently a parcel or two gone—I brought it up against the checking box, and kept it there about a quarter of an hour—in about five minutes after, the prisoner came on the bank, and I accused him of breaking the box open—he positively denied it—about ten minutes after I accused him again of it, and a porter, named Killick, stepped up, and said, if he did know any thing of the parcels, why did he not give them up—he made no reply, but walked down the warehouse—Killick followed close after him, and I followed him, and just as I got to the bottom of the warehouse, I saw the prisoner deliver three small parcels to Killick, who gave them to me—I replaced them in the box, took it into the M office, locked it, and delivered the key to one of the clerks—I heard Killick say to the prisoner, "Then you did know where the parcels were, why did not you give them up?"—he said, because he was ashamed.

Cross-examined by MR. PHILLIPS. Q. Were the parcels broken open, or entire? A. There was no string round them—they appeared to be entire—they were in brown paper—I do not know to what clerk I gave the key of the M office—there are six or eight clerks.

COURT. Q. Were the parcels packed neatly as you would expect, or did they appear tumbled? A. They appeared to have been tumbled, not packed as they should have been—these are them—(*looking at them.*)

JOHN ELY. I am a trucker in Messrs. Pickford's service—on Saturday morning, I remember the wagon coming in—I and the prisoner were employed in trucking parcels—as I came round from the further end of the

Bank I saw the prisoner against this box, which was broken, and a parcel in his hand—I said, “Halloo, *Jem*, what have you there?”—he made no answer—I went and told Milton, accompanied him back, and found the box there, but the prisoner was gone—Milton took possession of the box.

Cross-examined. Q. Do you know the office M, which the box was put into? A. Yes—it is accessible to different people belonging to the establishment—this happened about four o'clock in the morning—we work all night.

COURT. Q. Could the box be broken by accident? A. I did not notice it—I saw the lid was open, and he had the parcel in his hand—accidents sometimes happen in trucking the boxes.

MR. PRENDERGAST. Q. From the manner that box was trucked, could it have fallen down any distance? A. I cannot say—it is a strong box—we put them on a low-wheeled truck.

MR. MAPPIN *re-examined*. This is the box they were in—here is another parcel which shows the state they should have been in—this has an envelope—two of these parcels contained seven razors, and one six—the seven razors have the names of the seven days of the week on them—the parcels I saw in London were in a very different state to what they left in—supposing the box to be broken, and the envelope to fall, I should say they would not fall out of the envelope, even if the box burst—besides the outer envelope there is another envelope, tied, without a seal—none of the parcels appeared disturbed except the outside one.

WILLIAM KILLICK. I remember this case coming by the wagon—I was present when it was checked off—it was trucked away—I cannot say whether it was sound when it came off the wagon—it did not appear to have been broken, certainly not sufficient for any thing to fall out, or I should have seen it—I received a paper parcel from the prisoner that morning—they were all three in one when I received it—I took them all in my hand—when I gave them into Milton's hands they appeared to be in three—I only had them in my hand a moment—I did not see where the prisoner got the parcel from.

Cross-examined. Q. Did not the prisoner give into your hands a small brown-paper parcel? A. Yes, I took it as one—I did not know it was in pieces—I did not know whether it was three or one—I hardly had time to see—I will not undertake to swear that the box was not broken—it was not broken, to my knowledge.

MR. PRENDERGAST. Q. Whatever you got you handed over to Milton in the same state as you got it? A. Yes.

WILLIAM MILTON *re-examined*. Killick received the parcel from the prisoner in my presence, and gave it over to my charge—he gave me three small parcels—he had them in his hands about a moment—he could not have done any thing to them—there was no wrapper inclosing the three—it was three distinct parcels—at the time the box was delivered to be trucked it was sound and unbroken.

Cross-examined. Q. How many parcels and boxes did you check off that morning? A. I cannot tell—I took particular notice of this, because I had to read the direction.

JOHN SEWARD. I am in the police. I received these three parcels from Milton, and the case afterwards—I apprehended the prisoner at his lodgings, in bed, at four o'clock on Saturday afternoon—I told him I took him for breaking a box at Messrs. Pickfords—he said, “Is it the box containing the razors and cutlery?”—I said, “It is.”

HENRY COOK. I was with the officer.

Cross-examined. Q. He was found in bed? A. Yes—I saw nothing found there.

BENJAMIN MYTTON. I am clerk to Thomas Pickford and others. This box was put into the office where the clerks only have access—the porters have no access to it—Mr. Mappen was sent for afterwards, and saw it.

Cross-examined. Q. What day was the box put into the office? A. On Saturday morning, I understand—Mr. Mappin saw it on the Monday, I believe—six or seven clerks have access to that office—I will not swear that twenty people might not have been in the office—the prisoner has been five or six years in the service.

NOT GUILTY.

NEW COURT.—*Friday, October 23rd, 1840.*

Fifth Jury, before Mr. Common Sergeant.

2530. LEONARD HAYDON was indicted for stealing, on the 6th of October, 1 box, value 5s.; 5 pairs of trowsers, value 1l.; 1 shirt, value 1s.; 2 pairs of shoes, value 3s.; 2 books, value 18s.; 1 cap, value 2s.; 2 night-gowns, value 3s.; 6 pairs of socks, value 5s.; 1 frock, value 15s.; 1 petticoat, value 10s.; 1 pair of stockings, value 2s.; 1 card-case, value 1s.; the goods of William Gray: and 2 collars, value 35s.; 2 yards of lace, value 5s.; 1 pair of mittens, value 1s.; and 1 cap, value 15s.; the goods of William Hickson.

MR. CLARKSON conducted the Prosecution.

ELIZABETH MATILDA GRAY. I am the wife of William Gray, and live with him at Northampton. On the 6th of October I came with Mr. Hickson and her little boy, by the Gravesend steam-packet, to London—I arrived at half-past five o'clock, and got to Fish-street-hill, and there took a hackney-coach, which the prisoner drove—I had a deal box among my luggage, with a wrapper over the top and sides—it was placed on the foot-board of the coach—I was driven to No. 20, West Smithfield—I got down, and my friend paid the coach—I supposed my luggage was out of the coach, but I missed the box a very short time after the coach was gone—the things stated in the indictment were in it, and amongst them a pair of mittens, marked with gold and silver on the backs—I have a pair here (*producing a pair*) bought at the same time, and of the same pattern—there were some things of Mrs. Hickson's with mine—her husband's name is William—there was a cap, two yards of lace, and two collars belonging to her—I saw the prisoner again on the Thursday, two days after, in Newgate-street, and knew him immediately—he was driving a hackney-coach—I took the number of it, and gave the number to Mr. Hickson, and he informed the police of it—the value of my things is about 13l., and Mr. Hickson's, about 3l.

Cross-examined by MR. DOANE. Q. What boat did you come by? A. The *Topaz*—that left Gravesend about three o'clock—we arrived about half-past five o'clock, and then took this coach—I cannot say how long was getting to Smithfield—it was about six o'clock—I saw the prisoner's father in custody before the Justice, and the father was let off—I saw the man plainly—I believe the prisoner is the man.

MR. CLARKSON. Q. Have you any doubt at all about it? A. No—his father was an old man—I never said his father was the man.

SARAH SMITH. I am in the service of Mrs. Webb, who lives at No. 11

Commercial-road, Lambeth. The prisoner and his wife lodged with us—on the 6th of October, between nine and ten o'clock in the evening, the prisoner brought the coach home—he had a deal box with him, such a one as ladies use to put clothes in—it was corded at the top and sides, and covered with a piece of light wrapper—he took it up into his own room—on the Thursday after that, the prisoner's father came to the house and brought back the box—I do not know who had taken it away—I kept it in my room till the prisoner's wife came, and she took it up stairs.

Cross-examined. Q. Have you any thing to do with No. 114, Commercial-road? A. No—Mrs. Webb keeps Nos. 114 and 116—I am servant at two of them, Nos. 115 and 116—I am not married—I was married—my husband is alive as far as I know—he does not live with me, he is abroad—upon my oath the prisoner's father did not bring the box home the first time—my mistress and a little boy were present when the prisoner brought it—my mistress was in the front parlour—I opened the door—she did not come out of the parlour.

MARY ANN WEBB. I keep the houses Nos. 114, 115, and 116, Commercial-road. The prisoner and his wife came to lodge with us about two years ago. On Tuesday, the 6th of October, I remember the prisoner driving up with the coach—I did not go out to see what he brought—on the Thursday week his father brought a deal box, papered, and covered with a wrapper, and the prisoner's wife took it up stairs.

Cross-examined. Q. How could you see it was papered? A. The wrapper did not go to the bottom—I will swear I did not see the prisoner bring the box—I saw the coach he brought it in—I had seen the coach once when the prisoner brought it to the door.

FREDERICK JAHNS. I am the ostler at Jermyn's stables, in Kennington-place. The prisoner drives a coach for my master. On the Wednesday, before I went before the Magistrate, I was walking with the prisoner from twelve o'clock to a quarter after, up Lambeth-walk—he produced a pair of mittens marked with silver and gold—they were like these produced by Mrs. Gray—he said some one had ransacked his coach over, but they had not found what he had, which was the pair of gloves—I said, "Let me look at them?" and he showed them to me—my brother was with me.

Cross-examined. Q. Did he tell you about having a sailor and a girl in his coach? A. No.

CHARLES JAHNS. I was with my brother—these are similar mittens to those the prisoner showed me.

MR. DOANE *called*

MR. CROSSFIELD. I am a solicitor, living near the London Hospital, Whitechapel-road. On the 6th of October I arrived from Gravesend—I engaged the prisoner to drive me home, at a quarter or ten minutes to five o'clock—on my way home I had to pass Whitechapel church clock—by that it was exactly a quarter past five o'clock—I live a little below the church, and he drove me to my door—it was about twenty minutes past five o'clock when he was paid off.

JURY. Q. What time did you leave Gravesend? A. By the two o'clock boat, and arrived at half-past four o'clock, but it was after that I took the coach.

James Fletcher, coffee-house keeper, London-road, gave the prisoner a good character.

GUILTY. Aged 29.—Transported for Seven Years.

6 D

2531. ROBERT BROWN was indicted for stealing, on the 18th of October, 2 handkerchiefs, value 10s., the goods of Charles Augustus Cantor; and 1 handkerchief, value 2s., the goods of Hannah Juliana Leach.

JAMES MALE (*police-constable C 102.*) At half-past one o'clock on Sunday morning I was on duty in Crown-court—I saw the prisoner and two others creating a disturbance—I was told to take them—the prisoner ran away—I pursued him, and took him—I saw him drop two handkerchiefs, one at a time—these are them—(*looking at them.*)

ELIZABETH NEW. I am the wife of Charles New. I heard the cry of "Stop thief," and saw the prisoner run past—I followed him—I will not say that I saw him drop any thing, but I picked up a handkerchief, which Mr. Beresford, the inspector, has.

CHARLOTTE CAROLINE CANTOR. I am the wife of Charles Augustus Cantor—he is a merchant, and lives in Montague-square. These handkerchiefs are mine and my servant's—I lost them out of my house on the 10th of October—they were in the hall, and had just returned from the washerwoman—I came home that evening—there was a man standing there, and the linen was in the hall—a lady and gentleman came home at the time I did, and it being a lodging-house I did not take notice of it—I went up stairs.

THOMAS WELLS (*police-sergeant C 1.*) I produce two handkerchiefs which I received from Mace.

GUILTY.* Aged 22.—Transported for Seven Years.

2532. JOSEPH WILD was indicted for stealing, on the 22nd of August, 1 coat, value 10s.; and 1 handkerchief, value 1s.; the goods of George Burgess, from the person of Henry Burgess.

HENRY BURGESS. I am thirteen years old—I live with my father, George Burgess, in Holywell-row, Worship-square. On the 22nd of August, between four and five o'clock in the evening, my father gave me a coat wrapped in a blue handkerchief, to take to Oxford-street—in Holborn the prisoner stopped me, and asked me to hold a parcel while he wrote a note—my younger brother was with me—he took the prisoner's parcel and carried it up to the corner of a court, and then the prisoner snatched this coat and handkerchief from me, and ran up the court—I am sure he is the man—I have no doubt of him—I ran a little way up the court, but he got away—the coat has never been seen since—there was no point to the pencil which he wrote the letter with—this is it—(*looking at one*)—I know it, because it had no black lead in it—it was broken off at the end.

JOHN KERSHAW (*police-constable G 123.*) I received the pencil at the station-house, and took charge of the prisoner—an officer, who is discharged, searched him at the station-house, but what was found on him I cannot tell.

Prisoner's Defence. I know nothing of the robbery.

GUILTY. Aged 20.

2533. JOSEPH WILD was *again* indicted for stealing, on the 31st of August, 6 towels, value 10s.; 1 smock-frock, value 2s.; and 1 apron, value 6d.; the goods of Richard Moss.

ELIZABETH REBECCA MOSS. I am the daughter of Richard Moss, who lives in Hoxton-market. On the 31st of August my father gave me a bundle containing six towels, a smock-frock, and an apron, to take to my mother—as I was going along Moorgate-street, the prisoner stood in the

passage of No. 56—he beckoned me, and told me to take a parcel for him to Mr. Powell's, the second turning down the street, and he would give me 6d.—I took it a little way, and I could not find Mr. Powell—I went into the shop, and said, "If you please, sir, I want to see the shopman"—I had left the parcel my father gave me with the prisoner while I went to find Mr. Powell—I could not find the prisoner nor the parcel when I came back—I was not gone above five minutes—I am sure the prisoner is the man.

RICHARD MOSS. I gave my daughter these things to take home—I have never seen them since.

WILLIAM BROWN. I was in Moorgate-street on Monday, the 28th of August—I observed the prisoner standing up a passage—I saw him call the little girl to him, and she had a bundle with her.

Prisoner. At Worship-street he said it was on Thursday. *Witness.* No, I said Monday, the 7th of September, but I went home, and told my wife, and found it was on Monday, the 31st of August.

GUILTY. Aged 20.—Transported for Fifteen Years.

(There were four other charges against the prisoner of a similar nature.)

2534. **RICHARD LILLYWHITE** and **WILLIAM MARABLE** were indicted for feloniously receiving, of a certain evil-disposed person, on the 1st of May, 4 tons weight of coals, value 5*l.*, the goods of John Lettsom Elliott and others; knowing the same to have been stolen; against the Statute, &c.

MR. JONES conducted the Prosecution.

WILLIAM OLLIVE THOMAS. I am store-clerk to Messrs. John Lettsom Elliott and Co., brewers at Pimlico. The prisoners were in their employ, Lillywhite as engineer, and Marable as labourer—Elliott and Co. were in the habit of buying large quantities of coals from the ships—they are Llangannan coals, not the sort used in private families—it was usual to lighter them to the wharf of Dalton and Co., and for them to cart them to the brewery, but they had no property in the coals. In May last 210 tons of coals were delivered at the brewery—I received the delivery tickets for them—it was the usual course for me to receive them from Marable—it was his duty to take them from the carman, and deliver them to me—Lillywhite had nothing to do with the coals—on Tuesday, the 22nd of September, after the prisoners were in custody, I went with the policeman to Lillywhite's house in Hensdon-street, at a quarter to five o'clock, I saw some Llangannan coals in the cellar there, with some Newcastle coals—the Llangannan coals were at the bottom of the cellar, and the others were spread over them, for the purpose, I should say, of concealing them—there were about two tons of Llangannan, and one ton of Newcastle—in consequence of suspicion, the police were on the premises of Elliott and Co. about three days before this, but up to the time of the prisoners being taken, no charge had been made against them—the police had not been communicating with them.

Cross-examined by MR. PRENDERGAST. Q. How can you tell that?
A. All communication with the police Messrs. Elliott left to me.

Cross-examined by MR. CLARKSON. Q. Did the two prisoners see the police on the premises? A. I have no doubt but they did.

CHARLES WATSON. I am clerk to Dalton and Co., wharfingers in Millbank-street—they are in the habit of receiving coals by lighter, for Elliott and Co., and sending them by wagons to their brewery—it is my

duty to make out delivery tickets for the coals sent out—I made some out last May—I sent Hodges and Field, as the carmen, to the best of my belief—it was their duty, on receiving coals from our wharf with the delivery ticket, to deliver them at the place the ticket specified, which was the brewery—they had no authority to deliver them at any other place, without my orders—I went on the 22nd of September to Lillywhite's house, with a policeman, and saw some Newcastle coals in the cellar, and, to the best of my belief, some Welsh coals, but I would not swear that they were Llangannan coals—they resembled the sort of coals we sent to Elliott's—a wagon contains between three and four tons—a wagon of Llangannan coals is worth about 6*l*.

Cross-examined by MR. PRENDERGAST. Q. How do you know that they were Welsh coals? A. By the peculiarity of them—Welsh coals are different from Newcastle and Sunderland—I did not break them to see whether they were hard or soft—Welsh coals are more like North country coals than others—Llangannan coals emit no smoke—I cannot distinguish them from other Welsh coals.

MR. JONES. Q. Look at this piece of coal, does this resemble those sent from the wharf to the brewery? A. Yes—in my judgment I should say this is Llangannan coal.

EDWARD FIELD. In May last I was a carman in the service of Dalton and Co.—I received coals from them to deliver at Messrs. Elliott's brewery—I took a delivery ticket with me—Hodges did not go with me—he was up there shooting some coals when I went up there—I delivered a wagon load of coals at the brewery—I saw the two prisoners there, and I gave the delivery ticket to Marable—after I had delivered the first load, he told me to take the next load to Lillywhite's house, in Hensdon-street, Pimlico, and I did so.

COURT. Q. When did you take the next load? A. The same day, within an hour or two—my road from Dalton's to Elliott's was up Peter-street, and when I went to Lillywhite's, I went up Rochester-row, and Vauxhall-road—that is in the same line as Peter-street, but another road.

MR. JONES. Q. Where did you turn out of the direct road to the brewery? A. I turned off to go to Rochester-row instead of going down Brewer's-green—Hodges came to me at Lillywhite's house just after I got there—the two prisoners came just after I got there, and one of them told me to shoot them down the hole—I cannot say which of them said that, but they were both present when it was said—I shot all the load down the hole—I gave the delivery ticket to Marable at Lillywhite's house—the coals were put into two cellars there—I had that wagon of coals from Dalton's wharf—Lillywhite remained there all the time I shot the coals, but Marable went away as soon as we began shooting.

Cross-examined by MR. PRENDERGAST. Q. Marable did not help unload, or any thing of that sort? A. No—he took the delivery ticket, which it was his place to do.

Cross-examined by MR. CLARKSON. Q. You would not have delivered them at Lillywhite's unless you thought you were authorised to do so? A. I had no knowledge there was any thing wrong—I thought Lillywhite or Marable had authority to tell me where to take them.

MR. JONES. Q. Where, on all other occasions, had you given Marable the delivery ticket? A. At Messrs. Elliott's yard—I never gave one to

him at any other time but at the yard—I cannot read—Mr. Watson is the clerk at Messrs. Dalton's wharf—I received the delivery ticket from him—when I took away the second load I did not tell him I was to take that to Lillywhite's house.

WILLIAM HODGES. I am a trouncer, in the employ of Dalton and Co., and was so in May last—I cannot exactly say that I remember going with Field to Messrs. Elliott's brewery with coals in May, but I went there—I saw both the prisoners there—we delivered one wagon of coals there, and after we had done that Lillywhite told me and my mate that we were to take a load to his house—Marable was present at the time—Field went from the brewery, and I went round and met him at Lillywhite's with a load—I saw both the prisoners there—we delivered the coals there—Lillywhite said to me when I was down in the cellar, “You go up and help your mate to shoot them, and I will shovel them back”—I did not see the delivery ticket at all.

Cross-examined by MR. PRENDERGAST. Q. What was Marable doing? A. He did nothing and said nothing—when we began to shoot the coals he went away.

Cross-examined by MR. CLARKSON. Q. Can you tell what day or week it was? A. No—I did not know I was doing wrong, or I would not have done it—the coals were all delivered there—I do not know in what month it was.

MR. JONES. Q. Did you ever see any coals delivered from Dalton and Co. at Lillywhite's house but once? A. No—Marable was there just as we began to shoot them, and then he went away directly—he was there when I got there, and so were the coals.

HANNAH JONES. In May last I was living in Lillywhite's house, in Hensdon-street. I remember a wagon of coals being brought there—I did not see Hodges, but I saw Field—I saw both the prisoners—they were not there when the wagon arrived, but they both came before any of the coals were shot—I did not hear either of them give any direction to Field about the coals—Mrs. Lillywhite was there, but she gave no direction that I know of—I did not see any delivery ticket—I was on the first floor looking out of the window—I saw all the coals shot but about six sacks, which were taken away down the first turning on the right—I saw half of the wagon out of the street—I saw Field go away with them—about the latter end of last month I saw a cart-load of coals brought there—that was on the Monday as Lillywhite was taken on the Tuesday—I never was in Lillywhite's cellars.

Cross-examined by MR. PRENDERGAST. Q. How far is this from the brewery? A. Perhaps a quarter of a mile, or not so much, and a very little way from Vauxhall-road—I knew very little of Marable before that—I knew him by sight, and I am sure I saw him then.

Cross-examined by MR. CLARKSON. Q. Have you always told the same story about this? A. Yes.

RICHARD WEST. I am carman to Mr. Ormsby, a coal-merchant, in Belgrave-street. On a Monday, the latter end of September, Lillywhite came and ordered a ton of coals—he said he wanted them as soon as possible—I took them to his house and put five sacks in one cellar and five in the other.

WILLIAM UPCHURCH (*police-constable B 25.*) I took Marable into custody on Monday the 21st of September, about eight o'clock in the even-

ing—at the station-house the Inspector cautioned him, after the charge was made, not to say any thing to criminate himself—when he was about to be locked up he stated to me that these two men (meaning Field and Hodges) had received 5s. each for taking the coals to Lillywhite's house, and he had received the ticket, but got nothing for it—I took Lillywhite the next day.

GEORGE MOBBS. I am a watchman at Messrs. Elliott's brewery. I remember the policeman being at the brewery on the Saturday, Sunday, and Monday—on the Monday evening Lillywhite came up to me, and I asked if he knew why the police were about the premises—he said, "Yes, don't you?"—I said, "No"—he said, "They say I have had a quantity of coals from the premises, but I know I am innocent"—he said some woman had said something about it—that he expected Marable was taken there or would be that evening, and he expected that he himself should be at Queen-square the next morning.

(The prisoners received good characters.)

LILLYWHITE—GUILTY. Aged 30. } Confined Six Months.
MARABLE—GUILTY. Aged 23. }

Sixth Jury, before Mr. Sergeant Arabin.

2535. MARY CASEY and MARGARET M'LOCHLAN were indicted for uttering counterfeit coin; to which they pleaded

GUILTY.—Confined One Year.

2536. SAMUEL SMITH was indicted for having in his possession 11 counterfeit half-crowns; 25 counterfeit shillings, and 28 counterfeit sixpences; with intent to utter them: to which he pleaded

GUILTY. Aged 42.—Confined Three Years.

2537. GEORGE BLOOMFIELD was indicted for a misdemeanor.

Mr. DOANE conducted the Prosecution.

SUSAN CRABTREE. I am the wife of Mark Crabtree, we keep a coffee-shop in Wych-street. On the 14th of September, the prisoner came for a cup of coffee, which came to a 1d.—he gave me a sixpence, and I gave him 5d. change—after he had left, I thought it was a bad one—I put it in a cup by itself, and when my husband came home I told him—he marked it, and it was put into the cup again—on the 26th of September, the prisoner came again—my husband served him—he was given to a policeman with the sixpence I had received.

Prisoner. When you gave me into custody the sixpence was at a printer's, and I waited half an hour while you sent your little girl for it—when I was taken you could not produce it. *Witness.* No, I never parted with it—I kept it in the teacup and gave it to the policeman.

MARK CRABTREE. My wife made a communication to me on the 14th of September, about a sixpence, which I marked and placed in a cup—on the 26th the prisoner came, and in consequence of what my wife told me I served with him a cup of coffee—he gave me a sixpence—I put it to my mouth, found it was too soft to pass, and said we had been looking after him for some time—I left him in custody of three gentlemen, while I went for a policeman, who I gave the sixpence to, and the one that was in the cup.

HENRY GRISS. I am a sergeant of police. I took the prisoner and received the two sixpences—I found on him two good shillings and 4½d. in copper.

MR. JOHN FIELD. I am inspector of coins to the Royal Mint. These sixpences are both counterfeit.

GUILTY. Aged 21.—Confined One Year.

2538. ELIZABETH WHITE and MARY GEARY were indicted for a misdemeanor.

MR. DOANE conducted the Prosecution.

JAMES INCH. I am a beer-seller, and live in Upper East Smithfield. On the 19th of September, in the evening, the prisoners came to my tap-room—White called for a pint of beer, which came to 2d.—White gave me a counterfeit sixpence—I put it into my pocket and told her I had no change—I directed a policeman to be sent for, who came, and then White said, "What, did I give you a bad sixpence?"—I said, "Yes, you know you did"—she then gave me a good one—in going to the station-house I saw White put something into her mouth—I took hold of her, but I found nothing—she was taken to the station-house, and two bad sixpences found in her mouth—when Geary saw the policeman she said, "They can't hurt us, there is only one piece."

JESSE TROWERS. I am a policeman. I took the prisoners—White denied having any bad sixpences—I found on her two half-crowns and 4½d. in good money, also some plaister of Paris and other little things in a basket that she had—I received a sixpence from Mr. Inch.

CORNELIUS FOAY. I was at the station-house—I was standing in front of White, and saw her move her mouth—I took one sixpence from her mouth, and Kelly took another—I saw Geary had something, I seized her, and got a good fourpenny-piece out of her mouth—I saw that she had two pieces of money in her mouth, but the other piece she swallowed.

THOMAS KELLY. I am a policeman. I found one sixpence in White's mouth.

MR. JOHN FIELD. These three sixpences are all counterfeit, and were all cast in one mould—the fourpenny-piece is good.

White's Defence. I had been in the country; I returned by the steam-boat, and gave half-a-crown to the man, and he gave me this small money; I then went with the prisoner, who I had never seen before, to have a pint of beer; I gave the prosecutor the sixpence; he said he had no change; if I had known what I had was bad, I had opportunity to make away with it in going to the station-house.

WHITE—GUILTY. Aged 47. }
GEARY—GUILTY. Aged 48. } Confined Two Years.

2539. ELIZA EDMONDS was indicted for a misdemeanor.

MR. DOANE conducted the Prosecution.

MARY ANN SMITH. I am the wife of Alfred Smith. We keep a glass-shop near Brunswick-square—the prisoner came on the 9th of October for an ale-glass—I said I had not one—she then pointed to a glass that she said she would have—I told her it was 1s. 1d.—she asked if I could take less, and I agreed to take 1s.—she paid me 1s.—I gave her the glass—after she was gone I sent the shilling she gaveme, by my son, to Mrs. Granger, a neighbour—he came back and said it was bad—I went out, and overtook the prisoner—I said she had given me a bad shilling—she said she supposed she must give me a good one—the policeman took her.

Prisoner. Q. Did you not say if you had your own property back you would say no more about it? *A.* Yes.

ALFRED SMITH. I remember the prisoner coming to my mother's—after she was gone my mother gave me a shilling to take to Mrs. Granger—I asked if it was good, and from what she said I came back and gave the shilling to the policeman.

RICHARD COOPER. I am a police-officer. On the morning of the 9th of October I came up with the prosecutrix and the witness—I would not allow them to settle the matter—I took the prisoner into custody—I received this shilling from the prosecutrix's son—I found on the prisoner one other bad shilling, and seven good ones.

Prisoner. Q. Did you not let the money fall? *A.* Yes, but I saw the shilling was bad before I dropped it.

MR. JOHN FIELD. These shillings are both bad, and cast in the same mould.

Prisoner. I had all my money in a paper.

MARY ANN SMITH *re-examined.* She took the shilling she gave me out of a paper in her hand.

GUILTY. Aged 51.—Confined Six Months.

2540. JOSEPH SMITH was indicted for a misdemeanor.

JOSEPH LEVY. I live with my son-in-law, who keeps a tobacconist's shop in Church-lane, Whitechapel. On the 16th of October the prisoner came for a quarter of an ounce of tobacco, which comes to 1d.—he gave a sixpence, and I gave him 5d. change—he went away—I put the sixpence into the till—I am sure there was no other there—on the next night, between ten and eleven o'clock, he came for a quarter of an ounce of tobacco—he gave me a sixpence—I pretended to go round the counter—my son-in-law came out, and seized the prisoner—I gave the last sixpence I took of him to the policeman—my daughter had taken the first, and locked it up—she gave it to me out of a box, and I gave that to the policeman.

Prisoner. When I laid it down I said, "Stop, I think I have got a penny."
Witness. Yes, you did, but I took up the sixpence, that you should not take it again.

JESSE SOLOMONS. I saw the sixpence in the till—I put it into a box and did not take it out till Saturday night, when I gave it to my father—I saw the prisoner come in on the Saturday evening, and I said to my father, "That is the same person that came yesterday"—the officer was sent for, and he was taken—I saw my father give the second sixpence to the officer.

JOHN SHEARER. I am a policeman. I went into the shop, and took the prisoner—he said he had got a penny and another sixpence which he would give—I received these two sixpences from Mr. Levy.

SARAH FRANCIS. I am the wife of William Francis, a tobacconist, and live in the New-road. On the 17th of October the prisoner came for a quarter of an ounce of tobacco—I had a number of newspapers on the counter, and he laid a sixpence on them softly—I said it was bad, and he must know that it was bad—I asked where he got it—he said his master gave it him in payment of wages—I said if he would bring his master I would give it him back—he went away, and did not return—I saw him at the station-house on the Sunday morning—this is the one he gave me.

MR. JOHN FIELD. These sixpences are all counterfeit.

GUILTY. Aged 18.—Confined One Year.

2541. MARY BROWN was indicted for stealing, on the 3rd of October, 1 gown, value 5s., the goods of John Austin ; and that she had been before convicted of felony ; to which she pleaded

GUILTY. Aged 40.—Transported for Seven Years.

2542. ELLEN GOODCHILD was indicted for stealing, on the 1st of October, 2 pairs of boots, value 10s. ; 2 pairs of shoes, value 4s. 6d. ; $\frac{1}{2}$ a yard of linen cloth, value 8d. ; 6 yards of galloon, value 1s. ; and 1 yard of ribbon, value 4d. ; the goods of Mary Ann Phillips, her mistress ; to which she pleaded

GUILTY. Aged 15.—Judgment respited.

2543. JAMES FARRELL was indicted for stealing, on the 20th of September, 5 half-crowns, 4 shillings, and 1 sixpence, the monies of John Farrell ; and that he had been before convicted of felony ; to which he pleaded

GUILTY.* Aged 18.—Transported for Seven Years.

2544. WILLIAM HILL and JOHN HILL were indicted for stealing, on the 26th of September, 1 truck, value 3l., the goods of Richard West ; to which

W. HILL pleaded GUILTY. Aged 21.—Confined Four Months.

J. HILL pleaded GUILTY. Aged 46.—Confined Two Months.

2545. MARTHA GRAHAM was indicted for stealing, on the 17th of September, 2 spoons, value 15s. ; 1 rug, value 5s. ; and 2 blankets, value 17s. ; the goods of Ebenezer Herne, her master ; to which she pleaded

GUILTY. Aged 22.—Confined Six Months.

2546. HENRY JONES was indicted for stealing, on the 6th of October, 2 pewter pots, value 1s. 6d., the goods of Joseph Buckmaster ; and 3 pewter pots, value 4s., the goods of William Hopkins ; to which he pleaded

GUILTY.* Aged 32.—Transported for Seven Years.

2547. JOHN GOUGH was indicted for stealing, on the 1st of October, 2 gowns, value 4s., the goods of George Alderson ; to which he pleaded

GUILTY. Aged .—Transported for Seven Years.

2548. REBECCA THERROLD was indicted for stealing, on the 14th of October, 2 blankets, value 10s. ; and 4 sheets, value 10s. ; the goods of Hannah Burgin ; to which she pleaded

GUILTY. Aged 17.—Confined Three Months.

2549. ADAM WHITE was indicted for stealing, on the 18th of October, 2 glass bottles, value 6d. ; and 2 quarts of wine, value 5s. ; the goods of James Stevens, in a vessel in a port of entry and discharge ; to which he pleaded

GUILTY. Aged 53.—Confined Six Months.

OLD COURT.—*Saturday, October 24th, 1840.*

Second Jury, before Mr. Common Sergeant.

2550. WILLIAM JOHNSON was indicted for stealing, on the 12th of May, 5 gowns, value 1l. ; 8 yards of printed cotton, value 5s. ; 1 shawl,

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value 5s. ; and 1 cask, value 2s. ; the goods of Eleanor Stanaway.—2nd Count, of James Stanaway.

ELEANOR STANAWAY. I live in Sidmouth-place, Gray's-inn-road. On the 11th of May, the witness Mawley brought a cask of potatoes to me, which came from Cornwall—the prisoner was with him—I afterwards filled the cask with five gowns and eight yards of printed cotton, and gave it to the prisoner on the 12th of May as he came for it—he said he would take it to Cornwall—he said he was a sailor, and had come from Cornwall by the boat—the cask was directed to my uncle Vigors, to be sent on to my father—I have made every inquiry, but have been unable to find the cask or property—this is the bill I paid the prisoner, and here is the one he brought when he took away the cask—(*producing them.*)

JOHN MAWLEY. I went with the prisoner with the cask to Mrs. Stanaway's—I know nothing about the cask which she gave him—I heard the prisoner say something about her uncle at Cornwall—he said he was going next week—I cannot tell whether he went or not—the cask we took came from Chamberlain's wharf, Tooley-street—I am employed by Mr. Hunt—the prisoner went with me when the prosecutrix paid me for the cask—he heard her say the cask was to be returned—he and I used to work at the same place at one time.

JOHN HUNT. I am clerk at Chamberlain's wharf, in Tooley-street. There has never been a cask directed, as the prosecutrix states, at our wharf—if there had been I should have known it—I know the prisoner by sight—I do not know what he is—Mawley is employed by me—I am sure I never received the cask in question from the prisoner, nor was it ever shipped at our wharf—these bills belong to our wharf.

THOMAS BOLTON. I am a policeman. On the 30th of September I received charge of the prisoner—he acknowledged going along with Mawley to take the cask, but denied going next day to receive it.

Prisoner's Defence. I was at work at the wharf, on and off, nine or ten years, which Mr. Hunt knows; I went with Mawley on this morning, as I had nothing to do; the cask was to be delivered at the Pewter Platter, in Gracechurch-street; Mawley said we might as well go round with it, and charge the shilling, instead of giving it to the carrier to take; so we went, but I never heard any more about it till I was at work on the wharf, and Mawley came to me and said, "*Bill*, have you been after the cask?" I said, "No." He said, "If you have, you had better keep out of the way." I said, "Why should I keep out of the way?" and I have been on the wharf ever since; I never had the cask in my hand.

ELEANOR STANAWAY re-examined. I am sure he is the person I gave it to.

GUILTY. Aged 25.—Confined Six Months.

2551. **ESTHER DALE** was indicted for stealing, on the 16th of October, 1 sheet, value 3s. ; 3 shirts, value 4s. ; 1 tablecloth, value 18d. ; and 1 frock, value 18d. ; the goods of George Sutter.

MARY SUTTER. I am the wife of George Sutter, and take in washing. On the 16th of October I hung up a sheet, three shirts, a tablecloth, and a frock, to dry—I afterwards missed them—the prisoner was at my place in the morning, and was gone in the evening.

MARY M'CARTHY. I live in Peter-street, St. James's. On the 16th of October the prisoner came to me and offered to sell this sheet—it is very old.

MARY CORNEY. I live in Husband-street, St. James's. On the 16th of October the prisoner sold me this boy's shirt.

Prisoner. I did not sell the things; I was to have them back again.

MARY SUTTER *re-examined.* I never authorised her to sell or pledge any of them.

GUILTY. Aged 32.—Confined Six Months.

2552. CATHERINE PERCIVAL was indicted for stealing, on the 8th of October, one canvas bag, value 2*d.*; 1 sovereign, 1 half-sovereign, and 1 guinea; the property of Luke Clark, from his person.

LUKE CLARK. On the night of the 9th of October (I do not know the time) I was walking along, and met the prisoner—I asked her the way to the Mitre tavern—she said, "This is the way"—she caught hold of me, twisted me round a corner into a narrow street, and put her hand into my trowsers—I said, "Don't do that"—she then made an attempt at my waistcoat-pocket—I said "No, you d— b—, you shall not rob me"—I had some silver in my waistcoat-pocket, and a guinea, a sovereign, and a half-sovereign in a purse in my trowsers-pocket—she put her hand into my trowsers-pocket, and took out my purse and its contents—it was done so quickly I could not help myself—I tried to catch hold of her right hand, but could not—I caught hold of her left hand, held her tight, and called the police, who came—I told them what I had lost before she was searched—there were two other females with the prisoner when I met her.

TIMOTHY M'CARTHY. I am a policeman. I was on duty in Castle-street, Whitechapel, on this evening, and was called—the prosecutor told me he had lost a sovereign, a half-sovereign, and an old guinea—he charged the prisoner with taking it out of his left-hand trowsers-pocket—she said she did not take it—I searched her at the station-house, but found nothing on her—I went back, by the inspector's orders, to the place where I took her, and about thirty yards from there found the bag, empty and open, close by the wall—three men stood about three yards from them, but they did not interfere.

Prisoner's Defence. I met the prosecutor; he said he would take me to a house, but he did not; he attempted to behave indecently to me in the street, which I resisted, and he instantly accused me of robbing him; I said I would go to a policeman; he would not let me; about five minutes afterwards a policeman came up; he said I had robbed him of a guinea, two sovereigns, and a half-sovereign, and at the station-house he only said one sovereign; he was intoxicated, and asked for a pot of beer and a pipe in the station-house, and in the morning he denied knowing any thing about it.

TIMOTHY M'CARTHY *re-examined.* The prosecutor was drunk, and asked for a pipe and a pot of beer at the station-house. **NOT GUILTY.**

Before Mr. Justice Erskine.

2553. HENRY PRESDEE was indicted for killing and slaying Thomas Barks, *alias Thomas Foy.*

OWEN SWEENEY. I am a news-agent, and live in Chapel-place, Coram-street. On the 18th of September, at seven o'clock in the morning, I was in a field adjoining Hornsey-wood—there was a fight between the prisoner and Thomas Foy, (I understand was his name)—I was there at the beginning—they were stripped, and fought twenty-two rounds—at the

last round, the deceased got off his second's knee, approached towards the prisoner, and sparred up to him with the intention of striking, but tottered and fell before he struck the blow—no blow had been struck on either side in that round—in the round previous to that he rose as usual, and was not struck at all—he came up with the intention of fighting, and fell down—I did not observe whether he fell against any thing—he was not struck, he seemed to be more pushed against by the prisoner on purpose to avoid striking him—they had struck each other in the rounds before that—I saw the deceased struck once by the prisoner, but it was not what I should call a knock-down blow, as he seemed to be falling before—I thought at the time, that blow was struck on the face, but I was not close enough to see—there was not the slightest unfairness in the prisoner's manner of fighting—he seemed to wish to avoid fighting altogether—after the deceased fell the last time, he was placed in a *cab* and carried home—I did not see him afterwards—I had seen them together on one occasion before at a house, where the deceased quarrelled with the prisoner, but I did not see them quarrelling—I was at the Hunter's Arms, Compton-street, about a week before—there was a quarrel between them there, but I do not know what about—the deceased had other falls in the fight besides what I have mentioned—they seemed to struggle during the fight, and when they fell they fell together.

WILLIAM BARKER. I am a porter at different gentlemen's houses. I was in the field near Hornsey-wood, on the 18th of September, and saw the fight from beginning to end, between the prisoner and Thomas Foy—I believe his real name was Thomas Barks—it appeared a fair fight—they exchanged very few blows in the early rounds—I saw them fall on the ground while fighting—the deceased fell undermost several times—they did not appear particularly severe falls—I cannot recollect seeing any knock-down blow—I did not see any marks on the deceased's face—about the seventeenth round, as near as I can recollect, the deceased went back and fell on a bank on the ground without being struck—he fell on the back of his head on a hard piece of clay, or something—they fought about twenty-two rounds—after the fall very little was done—he came up to the four or five rounds, and fell without being struck, I believe—I did not see any blow struck by the prisoner after the deceased fell—at the last round he rose from his second's knee, put himself in the attitude of fighting, and fell down without being struck—he was taken home in a *cab*—I saw him on Saturday morning at his lodging in Brighton-street, St. Pancras—he was then dead—I went there with the Coroner's Jury—the body I saw there was the body of the man who fought with the prisoner.

Cross-examined by MR. JONES. Q. How long had you known the deceased? A. I know nothing of him—I saw him only a day or two before the fight—I only know his name by hearsay—he went by the name of Thomas Foy—then it was altered to Thomas Barks, from what I heard—I heard him answer to the name of Thomas Foy once—I did not know his name was Barks till after he was dead—it was mentioned at the Inquest—the fight appeared to be a fair one throughout—during the greater part of the rounds the prisoner appeared to be anxious to avoid striking him—after the seventeenth round he said, "I will not strike him, let him go down"—the prisoner was following him, and he went backwards on the bank with his head on a stone or a piece of hard clay, or some hard substance—the prisoner did not strike him at all then—he appeared much

weaker after the fall than before, and four or five rounds afterwards, became insensible—in every round after the fall he fell without being struck—I have known the prisoner twelve months—he is a hair-dresser—he bears the character of a peaceable, quiet, well-conducted young man.

GEORGE WILLIAM WOOD. I am a surgeon. I was called to see a man at No. 26, Brighton-street, where the Coroner's Jury visited—he was then dead—I was present at the Inquest, and saw the same body—in my judgment his death was caused by a broken blood-vessel on the brain at the back of the head—I cannot judge from what it arose—I saw no external marks on the head—it might have been caused by a fall on the back of the head—his eyes were a little discoloured, a blow there would not be likely to cause the rupture in the back part of the head.

NOT GUILTY.

2554. WILLIAM SMITH was indicted for stealing, on the 6th of October, 120 yards of flannel, value 6*l.*, the goods of John Taylor, in his dwelling-house.

ROBERT RUDD. I am in the employ of John Taylor, a linen-draper, in St. John-street-road, in the parish of St. James, Clerkenwell. On the 6th of October, between six and seven o'clock, I received information while I was in the shop—I went into the street, and into Arlington-street, I saw the prisoner running, twenty or thirty yards off, and about three hundred yards from the shop—he had a piece of flannel on his shoulder, I saw him drop it—I pursued, and took him, and gave him to the policeman—I went back to where the flannel was dropped—a policeman picked it up in my presence—it is the property of my employer, and worth 6*l.*—I had seen it safe not more than ten minutes before I left the shop, standing inside the door-way, at least one foot—the shop leads to the dwelling-house, and is part of it—master sleeps in the house.

JOSEPH GREENGRASS. I am a policeman. I took the prisoner in charge, from Rudd, for stealing the flannel—on my way to the station-house, he said a boy had put it on his shoulder.

Prisoner's Defence. A young man said he would give me 6*d.* to carry the bundle for him to Holborn-hill—he put it on my shoulder, and was going down St. John-street-road—I turned round and missed him—the policeman took me, and said I had stolen the flannel.

GUILTY. Aged 18.—Confined Six Months—the first and last Week Solitary.

2555. WILLIAM ELLIOTT was charged, on the Coroner's inquisition, with killing and slaying Elizabeth Wells.

WILLIAM PEACOCK. I am a wine-dealer, and live in Milton-street, City. On Tuesday, the 29th of September, I was in Old-street, near the corner of the City-road—I saw two wagons coming along empty from Shoreditch Church, towards Goswell-street, following each other—the first had four horses and the other three—they were trotting at the rate of four or five miles an hour—I cannot say that I saw the drivers—I might have seen them, but not to take notice of them—the wagons passed me, and I heard a scream when the last wagon was five or six yards past me—the scream was in the direction of the last wagon—I looked and saw a woman on the ground in the road, a few yards behind the last wagon—I went up to her, and she was dead—two or three went up before me—I did not see any marks on her, nor any blood—she was about six feet from the curb-stone

—the wagons had passed over the spot where the body was—I had not seen her before the wagon passed—I saw the driver of the first wagon, but I do not think I saw the driver of the last at all—I heard a cry of “Stop,” two or three times—I believe that was made by the hind wagoner—I do not know who the wagoners were—I saw no other carts or carriages in the road—the horses did not appear to be startled at all, nor running away—I and three or four more carried the woman over to Mr. Perry, a surgeon, very near the spot—her body was examined—the surgeon tried to bleed her, but very little came indeed—the body was then conveyed to St. Luke’s workhouse—I saw the prisoner at the station-house—I cannot say whether I saw him before, but my attention was not directed to the wagons—I was looking in at a shop window.

WILLIAM LAND. I am in the employ of Mr. Howard. I was at the corner of Old-street, coming up Featherstone-street, at the cigar shop, and could not cross the road on account of two wagons—I then looked towards Finsbury-square, and had not been looking long before I heard a scream. I looked round, and saw the woman lying between the two wheels of the hind wagon, which was then going on—I saw the hind wheel pass over her body—an omnibus came up after the accident—the wagons were trotting—I am no judge of the speed of horses, but should think they were going at between five and six miles an hour—I did not see the carmen—the wagon stopped as quick as possible—I could not see who stopped it—the woman was taken to Mr. Perry’s, but was dead—I did not see the carman at Mr. Perry’s—I did not see the prisoner till I went to the station-house to give my address—I had not seen any thing of the woman before she was under the wheel.

ANN HALL. I live in the City-road. I was at the corner of Old-street and saw two wagons pass at a trotting rate—I did not see the drivers, nor hear the scream—I saw the hind wheel of the last wagon pass over something—I did not know what it was at first—I afterwards found it was the body of the woman—I did not know her—I could not see where the driver was at the time the wheel passed over her—I was on the right-hand side of the wagon, and on the left-side of the road—I afterwards saw the driver come up in a direction from the Star public-house, which is at the opposite corner, and behind the wagon—he was running—I did not see where he came from—when I first saw him he was by the side of the wagon, which was still going on—he ran to the shaft-horse and stopped it—that was almost directly after the wheel had passed over the body—the body was carried to the doctor’s—I did not see what became of the wagoner afterwards, for I did not see him directly—I cannot swear whether the prisoner is the man, for I did not look at his face—I cannot say whether he had a whip in his hand—he cried out to the first wagoner, but I do not know what he called out.

Cross-examined by Mr. PAYNE. Q. What part of Old-street was this? A. Between the City-road and Aldersgate-street, turning round by the Lying Inn Hospital—the wagoner was just at the tail of the wagon—he deceased was in the road, about two yards and a half from the side I was on, between me and the wagon.

EMMA BONIFAY. I am the niece of the deceased. I saw her body at the inquest, which was held at a public-house in St. Luke’s, nearly opposite the workhouse—her name was Elizabeth Wells, she was in her sixth or fourth year—she was not at all infirm, neither deaf nor blind, nor given to drink—I saw her alive on the morning of the accident—she was in perfect

health when she left my house—I saw Peacock, Land, and Hall at the inquest—they did not see the body in my presence.

THOMAS STRATTON. I am carman to Daniel and Peter Cloves; the prisoner was in the employ of Keaton, a carman, and occasionally drove Messrs. Cloves' wagon. On Tuesday, the 29th of September, I was in Old-street-road, driving a wagon with four horses—the prisoner was driving a wagon with three horses—my wagon was first, and near the corner of Old-street—I was told of this accident—I did not go back—I remember passing the corner of Old-street—I was going at about the rate of from four to five miles an hour, for the space of four or five hundred yards—I believe the hinder wagon was coming at a similar pace—I was near the third horse's head—I did not see the prisoner at that moment—he was the only driver of the second wagon—I had seen him four or five minutes before we passed the corner, by the side of his horses—when I looked back he was by the centre of his horses on the near side, with his whip in hand—he was perfectly sober—my horses had startled at something, which I think was a bell ringing in the Vinegar-yard—I went by the side of them as fast as I could, and while I was doing so, the prisoner ran up and called to me, "*Tom, for God's sake come back; they tell me I have run over a woman, and she is dead*"—my horses were stopped—I did not go back with him—Elliott, my man, went back.

Cross-examined. **Q.** How long have you known the prisoner? **A.** About fourteen years—he is a humane man—he appeared a careful driver.

HENRY LAURENCE. I am a baker, and live in George-street, New North-road, Islington. On the evening of the 29th of September I was near the corner of Old-street, and saw a wagon with four horses, coming up at the rate of about five miles an hour—the carman was close alongside the third horse—a second wagon followed, and when it had passed along I saw something lying in the road—I did not hear any cry—I was standing there all the time, and was on the off-side of the wagon when the accident occurred—I ran to see what it was in the road, and it was the woman lying dead—I had not known her before—I afterwards saw the prisoner alongside his wheel-horse—I did not see him before that—I was on the hospital side when the second wagon came along—if he had been on the near side, I could not have seen him, because it was dark and thick at the time they were passing—I saw the prisoner in custody, he did not try to get away—he was very much agitated, and seemed quite sorry for what had happened.

GEORGE MICHAEL PERRY. I am a surgeon, and live in Finsbury-terrace, City-road. On the 29th of September the body of a woman was brought to my house, between eight and nine o'clock—she was quite dead, and appeared to have died only a few minutes—I observed across her chest, from the right side to the left, a broad streak of dirt—on passing my hand up towards her chest and abdomen, I felt there were several ribs fractured, immediately over the heart—I could not form any judgment of the cause of her death from that examination—I have since opened the body, and her death was caused by the injury of the ribs, and the lungs and viscera—the liver was divided, and the ribs broken in several places, which might have been occasioned by a wagon-wheel passing over the body—that would fracture the ribs, and injure the contents of the chest—the spine was also fractured—I attended the inquest at the Cumberland Head public-house—the body was then in St. Luke's workhouse—I did

not see Bonifay there—there was no other body lying dead at the work-house at that time, that I recollect.

WILLIAM LAND *re-examined.* I saw the body at the inquest, it was the body of the woman the wheel passed over. **NOT GUILTY.**

2556. JOHN THOMPSON was indicted for breaking and entering the dwelling-house of Thomas Inman, on the 17th of September, and stealing therein, 4 yards of calico, value 2s. ; 1 apron, value 1s. ; 3 shawls, value 7s. ; 2 shirts, value 4s. ; 1 body of a shirt, value 5s. ; 2½ yards of linen cloth, value 3s. : and 1 yard of printed cotton, value 9d. ; his goods.

THOMAS INMAN. I am a shoemaker, and live in Felix-street, in the parish of St. Matthew, Bethnal-green ; nobody but myself and family live in the house. On the 17th of September I went to bed about half-past seven o'clock, leaving my wife up—when I had been in bed about a quarter of an hour, or twenty minutes, I was alarmed by the cry of "Thieves in the house"—I got up, came down to the street-door, and saw my son at the door, who said something—he is between eleven and twelve years old—I went into the front-room down stairs, and saw things lying about the floor in a disturbed state, and the drawers open—Catling came up and told me something—I went up stairs and dressed myself, and came down again into the front room—I did not examine, to see how any body could have got in—the windows were fast—I saw several matches lying about on the floor—I afterwards saw some property brought back by Catling, which I delivered to the officer.

Cross-examined by Mr. DOANE. Q. How many times were you examined before the Justice? A. Only once—I went to the office on two occasions—I signed my deposition—I was not examined at all positively—I was examined by Mr. Grove—I cannot say I was not examined twice, but I should not like to swear it—I picked the matches off the floor after Kemp, the officer, had been there.

HARRIETT INMAN. I am the prosecutor's wife. On the 17th of September he went to bed about half-past seven o'clock, and after that I went out to see my son and daughter—I shut the door after me, leaving nobody in the house but my husband—the door fastens by a spring-lock—I am quite positive the spring-lock was fastened—I took the key with me—I did not keep the key ten minutes before my little boy, Robert, who is between eleven and twelve years old, came, and I gave him the key—he left it directly with it—my husband afterwards came for me, and I went home—I missed the articles stated, and found the drawers all tumbled, very different to what I had left them—I did not particularly examine the house—the door shut as usual afterwards—I found the windows fast, as I had left them—no window nor door was left open—I saw the articles again at the office—I had seen them the same afternoon—I had put some of them in the drawer that evening, and am positive they were there when I left the house.

Cross-examined. Q. When you went to your son's, did you lock the door? A. No, I pulled it to, as I generally do.

ROBERT WILLIAM INMAN. I am between eleven and twelve years old. On the 17th of September I went to my mother for the key of the house a few minutes before eight o'clock—she was at my sister's house, in Gloucester-street—I got the key, and went home with it—when I got to the door I found it ajar—I saw a man in the passage, between the front room and

and the street-door, standing there, with his face to me—it was not light enough to see his face to know him again—he ran out of the house—I was just going in as he ran out—I saw a bundle under his arm, wrapped up in something black, and some white things shewn out of it—I called out “Thieves,” and he ran away—I did not try to take hold of him—he ran towards the bottom of the street, down Felix-street—I called out, “Stop thief,” and stopped at the door—about ten minutes after the prisoner was brought back to the house by an officer—I could not tell whether he was the man or not—it was a tall man I saw in the passage, he was dressed in black—he had a coat on, I know, because he ran against me—the prisoner was dressed in black, and is about the same size as the man.

WILLIAM WOOD. I am a butcher, and live in Wynn’s-place. On the evening of the 17th of September, about eight o’clock, I was in my father’s stable, doing up the horse, ten or fifteen yards from Inman’s house—the stable looks into Felix-street—I heard the little boy cry out, “Father, here are thieves”—I pushed open my stable-gate directly, and saw a tall man come running, with a black bundle, with part of it showing white—I did not see how he was dressed—I said, “I will have you”—he was then within seven or ten yards of me—he directly *chucked* the bundle away, and ran away—I followed him, and kept him in sight—I did not overtake him till the officer took him into custody—I called “Stop thief” all the way I went—I saw the officer take him, and was running with him at the time—I had not lost sight of him from the time he threw the bundle away till the officer took him, only when he just turned the corner, and I was not five yards behind him—I did not lose sight of him for a moment—when I got sight of him again there was no other man in sight—I am sure the man the officer took was the man I saw throw the bundle away—he was taken back to the house—the prisoner is the man, but he had more whiskers than he has now—Catling picked up the bundle, and carried it to the house—it was gone when I came back—he threw it away between Catling’s house and our stable, which are next to each other.

Cross-examined. Q. Wynn’s-place, where you live, is in Hackney-road, is it not? A. Yes, close by Cambridge-heath-gate, which is a turn-pike gate leading into Hackney—when I opened my stable-gate the man was running on the opposite side of the way, close in the gutter.

Court. Q. In what direction did he throw away the bundle? A. Towards me.

GEORGE KEMP. I am a policeman. On the night of the 17th of September I was on duty, watching the house next to Inman’s, and saw the prisoner and a short man together several times while I was there—I saw them just against the shutters of Inman’s house between seven and eight o’clock—I walked round, suspecting they were watching me, and saw them—I came round again, and missed the prisoner—I saw the short man standing by himself, just against Inman’s place—I crossed and looked at him, and went away—he followed me—a few minutes after I heard the cry of “Stop thief”—I ran in a different direction to where I heard the cry—I came to the corner of Hope-street, and saw a number of people singing out “Stop thief,” and the prisoner and a short man running from Inman’s house, towards Hackney way—I laid hold of the short man first, and put him on the ground—somebody hallooed out, “That is not the man who *chucked* the bundle away, it was the other man”—I then pursued the prisoner, and took him in Hackney-road, running as hard as he could—

he was right out of breath, and could not speak—a person said, "That is the man that robbed the house"—he said he was not guilty—I took him back to the house, searched him, and found on him a silk handkerchief, one shilling, two sorts of lucifer matches, and a knife—some lucifer matches were given to me by Mr. Inman—I also found two lucifer matches in the bundle of things—the matches found on him and those given me by Mr. Inman were of the same description, (but some of them were partly burnt,) and the same with what were found in the bundle—Mr. Inman produced the bundle—I have had it ever since—these things were in it then.

Cross-examined. Q. Have you ever mentioned finding two matches in the bundle before? A. Yes—there were two hearings before the Justice when the witnesses were sworn and gave evidence—I was at both of them—Thomas Inman was examined more than once on oath—I am quite certain of it—as far as I can judge, it was from half to three-quarters of an hour between the time of my first observing the prisoner and the other to the cry of "Stop thief"—(*looking at his deposition*)—this is my signature—I swear that I mentioned about the matches in the bundle—my evidence was read over to me—I was asked if it was correct—I signed it—I think I mentioned about the matches in the bundle on both examinations, but I cannot say, but the last I will swear to, the day it was read over to me—I told the clerk of it in the private room, whether he put it down I do not exactly know, but I thought what he took down was right—it does not seem to be put down—I was not conversing with the witnesses before the Magistrate on this subject—I had some conversation certainly—Mr. Hunt, the prisoner's solicitor, reprimanded me for it, the Magistrate did not—Mr. Hunt spoke to the Magistrate on the subject—while a witness was being examined, I interfered, and Mr. Hunt made an observation—I do not think the Magistrate reprobated my interference—I will not swear he did not—I was standing close to the witness at that time—the Magistrate did not order me to go back, that I swear—I did stand back of my own accord, not on account of the Magistrate ordering me back, but when the remark was made by Mr. Hunt.

Q. Were you afterwards reprimanded by the Magistrate when you were found standing behind a door in the passage? A. I was not in any passage—I was in the yard—I was not reprimanded by the Magistrate—Mr. Hunt said I was standing outside—the Magistrate said something, but did not reprimand me—I believe I was standing in a place contrary to the Magistrate's order, but I did not know it till Mr. Hunt called the Magistrate's attention to it—I was standing in the yard, but I could not hear any witnesses when I stood—I did not remove from that place after an observation from the Magistrate, for it was after I came into Court—I moved from the yard into the office—I came in as a witness—Mr. Hunt said I had been standing outside listening—I was sworn on two occasions.

MARY ALLEN. I am servant to Mr. Catling, and live in Felix-street. On the evening of the 17th of September, about a quarter after seven o'clock, I was in Felix-street, and saw the prisoner, when I went out to close my shutter he passed by, walking very slowly, and looked me very hard in the face—there was a short man with him—this was a few yards from Mr. Inman's house—I heard a cry in the street a few minutes after eight o'clock—I could not distinguish any words—I had seen the prisoner before I heard that cry, three different times—I had seen him about a quarter

of an hour before at Mr. Inman's door—I am sure he is the man—on hearing the cry I went out—master went out before me.

Cross-examined. Q. Have not you expressed doubts as to the prisoner being the man you saw in the street before the cry of "Stop thief?" A. I did, but I did not understand the word—I have only expressed doubts on one occasion—Kemp spoke to me, and Mr. Hunt named it—I do not recollect whether it was after I had expressed a doubt as to the prisoner being the man that Kemp spoke to me.

COURT. Q. You say Kemp spoke to you, was that in the Magistrate's office? A. Yes—I do not remember that it was while I was being examined—it was before the Magistrate that I expressed a doubt about his being the man—I afterwards said I had no doubt—I do not recollect whether Kemp spoke to me between my saying I had a doubt, and saying I had no doubt—I do not recollect whether Kemp said any thing to me about his being the same man or not—I do not recollect any thing he said to me.

Q. How came you to say you had some doubt whether the prisoner was the man or not? A. I did not understand the word, although I was positive he was the man—it was at the end of my evidence before the Magistrate that I expressed the doubt—the Magistrate put the question to me which drew from me the answer expressing that doubt—I had before that stated that he was the man.

WILLIAM TAYLOR CATLING. I live in Lower Felix-street, Hackney-road. On the evening of the 17th of September, a few minutes before eight o'clock, I heard a cry of "Stop thief" in Felix-street—I went out, and saw a bundle on the opposite side of the road—I picked it up, and took it to Mr. Inman's house, and gave it to Mr. Inman—I there saw what it contained—it was afterwards given to the officer—the things were like those produced—they were rolled up in this black shawl, and some of the white was out.

MRS. INMAN *re-examined*. These are all my things, and were in the house on the evening of the 17th of September I am certain—this black shawl is mine.

MR. DOANE to WILLIAM WOOD. Q. Have you not expressed a doubt whether the prisoner was the person you saw? A. The Magistrate asked me whether I had any doubt, and I said, I did not know the meaning of a doubt, but I was positive he was the man—I will not be positive whether or not I told the Magistrate I had a doubt before I said I was positive—he asked me over again—I cannot say whether he asked me three or four times about it, I will not swear he did not—Kemp was not near me at the time—he was not in the office when I was examined—I was examined twice—I did not see Kemp between the two examinations—I had no conversation with him—it was at the first examination I was asked if I was positive of the prisoner—it was the same day that I said I was positive—I heard Kemp examined.

(Witnesses for the Defence.)

FREDERICK JOHNSON. I am a cigar-manufacturer, and live in Gibraltar-walk, Bethnal-green. The prisoner has been in my service for the last four months—I understand he came from Liverpool—I remember the evening he was taken up—I heard of it the following morning—I was in my workshop that evening with Wm. Smith, one of my workmen, and the prisoner—he came to work at eight o'clock in the morning, his usual time—

he went to dinner, and came back at two—he remained in the workshop until ten minutes to eight, when he left—there is a clock in the workshop—I looked at it, and remarked that it only wanted a few minutes to eight when he left—I am quite positive he was there from seven till ten minutes before eight—he worked at piece-work, making cigars—I had a character with him—he behaved honestly with me—I have not lived above five or six months at my present residence—I lived at No. 28, Wellesley-street, St. Pancras, New-road, before that—I carried on no particular business there—it was a private house—I lodged there—Mr. Merry kept the house—I never carried on business before I was a cigar-maker at this place—I sell cigars wholesale—the prisoner understood making cigars when he came to me—I have worked at several cigar-makers' myself—Terry's in the Minories, and Newton's in Friday-street.

JURY. Q. Are you one of the prisoner's bail? A. I am.

WILLIAM SMITH. I am workman to Mr. Johnson, and have been so rather better than three months—the prisoner worked in the shop with him—I remember his being taken into custody on this charge—I was at Mr. Johnson's that afternoon—I left a little after eight o'clock—the prisoner was there that afternoon—he went away before me—he left a little before eight—I swear he was at work there until about ten minutes or a quarter to eight.

COURT. Q. What work was he engaged in? A. Cigar-making, down to the time he went away—I was cigar-making—we were working within about a yard of each other—I know the time, because master made the observation when the prisoner left—I live at No. 10, Virginia-row, Bethnal-green, and have lived there better than four months—I have known Johnson ever since I worked in the shop, not before.

WILLIAM KENDON. I am deputy sexton of St. George's, Botolph-lane, and have been so upwards of thirty years, and live in Gibraltar-walk, opposite Johnson's—I have been a housekeeper there eleven years—I know Johnson and the prisoner by working for him four or five months—his character is very good as far as I know—I am one of his bail—on the 17th of September I was at my door and saw the prisoner come out of Johnson's house, about five or ten minutes before eight o'clock.

NOT GUILTY.

Fourth Jury, before Mr. Justice Erskine.

2557. JAMES EDWARD O'BRIEN was indicted for stealing, on the 8th of September, 7 sovereigns: also, on the 17th of September, 15 sovereigns; also, on the 10th of September, 10 sovereigns; the monies of David O'Brien, in his dwelling-house; to all of which he pleaded

GUILTY. Aged 17.—Confined Three Days.

2558. SIMON LYONS was indicted for feloniously inciting James Edward O'Brien to steal 7 sovereigns, the property of David O'Brien.—2nd COUNT, for receiving the same, well knowing them to have been stolen; against the Statute, &c.

MR. JONES conducted the Prosecution.

DAVID O'BRIEN. I keep a beer-shop in Field-lane, in the parish of St. Andrew, Holborn. On the 7th of August I had forty sovereigns in the upper drawer of a chest of drawers in my bed-room—I kept that drawer locked, and kept the key in my waistcoat-pocket—one morning I caught my son James at my room door *joggling* the key and shifting the door, and

the key fell—that was some time between the 22nd and 27th, but I cannot say the day of the month or week—about the 22nd of last month, Mr. Ford, a neighbour, called on me—in consequence of what he said I went to see if my money was right—I missed thirty-two sovereigns—I gave my son into custody between ten and eleven o'clock that night—he gave me up 2*l.* 2*s.* at first, and after I gave him in charge of a policeman, going along Giltspur-street, he gave up a leather purse with five sovereigns in it—I gave that to Brand, the policeman, with the 2*l.* 2*s.* and 5½*d.*—my son is fifteen years old next December.

Cross-examined by MR. PHILLIPS. Q. Does the boy attend to the persons in the beer-shop at times? A. Sometimes—he supplies beer and takes money when he is in the way, but he does not come home till eight, nine, or ten o'clock at night—he works in a printing-office all day—he assists us in the evening.

MR. JONES. Q. Did you allow him to have any control over your money? A. No, nor ever allowed him, or any of the boys, to meddle with the till—the girls have the sole and whole control of it—I never authorised him to take any money from my drawer—he never had any communication with that drawer whatever.

JAMES EDWARD O'BRIEN. I am the prosecutor's son. I have known the prisoner as long as I can recollect—he lived in George-alley, near Field-lane—shortly before last Bartholomew-fair I met him—he asked me if I had any money—I said, “No”—he asked whether I could get any, and said, “You can get some, if you like”—I said I could not—he said, “Get some money, and we will go and play at skittles at Greenwich, and win some”—he said I was to get it in the same way that he got his from his mother—he said I was to get into my father's room to get the key, or else he would give me a key, if I could not get it—no more passed—I did not do any thing towards getting any money till the Tuesday after Bartholomew-fair—I went into my father's bed-room about six o'clock that morning, and got the key out of his waistcoat-pocket—he was in bed, asleep—I went to the drawer, opened it, and got seven sovereigns—I put the key back again into his waistcoat-pocket—I afterwards went out, and saw the prisoner in Holborn, about nine o'clock—he said, “Have you got it?”—I said, “Yes, I had 7*l.*”—he said, “Oh, let us go to Mutton-hill, and play for a pint of beer, at the Two Brewers,” it is in Vine-street, I think, at the end of Hatton-garden—we went there, and he played me for a pint of beer, which I changed a sovereign to pay for—we did not play any more there—he then proposed going to Greenwich to play at skittles—he said there was plenty playing there—we went as far as Farringdon-street, took a *cab* from there to London-bridge, and went by the rail-road to Greenwich—we went to a public-house in the town—I do not know the name of it—the prisoner played at skittles there with Delhunt, and lost—I paid about 4*l.* to Delhunt and other people, for what the prisoner had lost—I did not do that of my own accord, the prisoner told me to pay—we went to another public-house at Greenwich, and played again there—he lost a few more shillings—he played with the same parties at that house—I paid them—after that we went over in a boat to Blackwall, and from there to Ratcliff, to a public-house—the prisoner said that public-house was where he spent his 20*l.* that he took from his mother—he said he would show me some life—we did not play there—we went from that house to another, on the opposite side of the street, called the White Swan, or

Paddy's Goose—we had a pint of beer and a glass of gin and water there, which I paid for—after that we came home in a *cab*, which I paid for—I then went home—next day I met the prisoner in Holborn, at the same place, and we went together to the Black Bull, in Gray's Inn-lane—he played a person they called *Punch* at skittles, and lost about 12s.—I paid for that, by his order—two or three days after I went with him to a public-house at Westminster—he played at skittles there, and lost about 12s.—I paid it—I paid about 18s. or 19s. there altogether, treating the soldiers that he knew—I paid some more at different houses, and going about and paying for *cabs* wherever we wanted to go—about a fortnight after we went to Woolwich—I had spent the seven sovereigns before we went there—it was spent playing at skittles, and in the way I have mentioned—I did not give any part of the seven sovereigns into the prisoner's charge.

Cross-examined. Q. Where do you work? A. At Mr. Cunningham's, a printer—it is my business to be there every day—I am paid wages for my work—when I get home of a night I serve the customers at the beer-shop, and take the money—I do not take a hand of cards sometimes—cards are played there—it is some years since I first knew Bartholomew-fair—I began to frequent it as long as eight years ago—my father did not always go with me—some one went with me sometimes, and sometimes I was let go alone—I used to stay till about eight or nine o'clock at night—I used to go to school of a day, and when school was over I went to the fair sometimes—I was there looking, like every one else—I went to the shows and the other amusements—my father had me taken up for robbing him, and then I said it was the prisoner desired me—I believe he is twenty-three years old—he told me so—he used to come to my father's house—I first began taking money from my father about seven or eight weeks ago—I left my work when I went to Greenwich, Woolwich, and the other places—the prisoner told me to leave my work, and I could pay my father back again out of the money I took—I told my master I had left my work—he lives in Shoe-lane—I was not in the habit of going into my father's bed-room before he was awake—this was my first going in—I was taken into custody a day before the prisoner.

MR. JONES. Q. How soon after you had been taken into custody did you say any thing about Lyons? A. The same night, to Waller the policeman—he came and asked me—I told him first, and he sent for my father—I was never charged with any offence before this.

COURT. Q. Before you went to play at skittles had you any conversation together about what was to become of the money if he won it? A. No.

TREPHERA PIPER. I am the wife of Thomas Piper, of the Two Brewers public-house, Mutton-hill. I know the witness O'Brien—he first came to our house with the prisoner about the beginning of September—I never saw him before—when he first brought him, I made an objection to his going into the skittle-ground on account of his youth—he said, “He is my brother, he is not going to play, he is going to wait for me while I play”—I said, “Very well,” and they went into the skittle-ground—I cannot say whether either of them played—I cannot say whether either of them paid me any money—whatever went from the bar was paid for by the waiter—I never saw them in possession of money—they were there eight or ten times.

HENRY DELHUNT. I am a wine-cooper, and live at Wood-wharf, Green-

wich. I first saw the prisoner and O'Brien at the William the Fourth public-house, in London-street, Greenwich, I cannot say the time—I played at skittles with the prisoner, and won between 2*l.* and 3*l.* of them—when I won a few shillings Lyons told the boy to pay—the boy threw down a sovereign, and I gave change—when he gave me the sovereign he pulled out a purse, and I heard more money in it, but I did not see it—other people won money of Lyons as well—he lost altogether between 3*l.* and 4*l.*—the boy paid the money they lost without Lyons asking him for the money, and he gave it him to pay—5*s.* was the largest sum I saw him give Lyons at one time—after playing there, we went together to another public-house, and played there—I won 6*s.* or 7*s.* more there, which the boy paid.

Cross-examined. Q. Has the prisoner been a friend of yours? A. No—I never saw him in my life before, to my knowledge—the boy tossed with me for 1*s.* at a time—he tossed for 2*s.* or 3*s.*—I cannot say whether he proposed to toss with me, or I with him—he tossed willingly—sometimes one threw up the shilling, and sometimes the other—he won a few shillings, I cannot say how much—he did not toss for a crown—we were tossing for about ten minutes in the skittle-ground.

JOHN BRAND. I took the boy O'Brien into custody on the 22nd of September, about eleven o'clock at night—he gave 2*l.* 2*s.* to his father, and 5*l.* to me afterwards, at the corner of Giltspur-street—in consequence of what he said I and the sergeant apprehended the prisoner—we inquired if he knew the boy—he said he did—we asked if he had any money of him—he said, "No"—after getting to the station-house the boy was fetched out, and questioned about going to Greenwich, and stated, in his presence, that he took the money on account of Lyons persuading him—he said he went to Greenwich with Lyons, and Lyons played at skittles there with a person named Delhunt, which Lyons denied—he denied having any thing to do with the money, or going to Greenwich either.

HENRY JOHN TEAGUE. I am a City policeman. I apprehended Lyons, with Brand, on the 23rd of September—at the station-house he said he had not been with O'Brien to Greenwich, Woolwich, or other places, and had not been to the skittle-ground with him, or in his company—I found a duplicate of a watch on him, pawned for 15*s.*—I received information about one o'clock, which led to the apprehension of Lyons—the inspector sent for me at that time, and then, from what the inspector stated to me, I apprehended Lyons—the boy did not make any communication to me, what I learnt was from the inspector—when he made the communication to him, I cannot say.

JOHN BRAND *re-examined.* I took the boy into custody at eleven o'clock at night—I cannot say when he made a communication about the prisoner, but it was five o'clock in the morning when I was desired by the sergeant to take the prisoner.

(Several witnesses appeared to give the prisoner a character, but admitted that he had been charged with robbing his mother of 20*l.*)

GUILTY. Aged 23.—Transported for Ten Years.

Third Jury, before Mr. Common Sergeant.

2559. JOHN KELLY was indicted for embezzlement; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

2560. JAMES MORGAN was indicted for stealing, on the 2nd of October, 1 coat, value 5s., the goods of Henry Whitcroft ; to which he pleaded

GUILTY.* Aged 36.—Transported for Seven Years.

2561. ROBERT HALEY was indicted for stealing, on the 17th of October, 1 pair of trowsers, value 6s., the goods of John Batey ; to which he pleaded

GUILTY. Aged 18.—Confined Three Months.

2562. SARAH WHITE was indicted for stealing, on the 17th of October, 1 glass tumbler, value 1s., the goods of Charles Slade ; to which she pleaded

GUILTY.* Aged 56.—Transported for Seven Years.

2563. JOHN GIBLET, was indicted for stealing, on the 22nd of October, 2 crucibles, value 3s., the goods of George Copping ; to which he pleaded

GUILTY.—Confined Three Months.

2564. ELIZABETH ALEXANDER was indicted for stealing, on the 19th of September, 1 veil, value 10s. ; 1 printed book, value 2s. ; 2 handkerchiefs, value 7s. ; and 1 pair of gloves, value 1s. ; the goods of Ruth Southgate : also for obtaining by false pretences, on the 17th of October, 6 yards of flannel, and 5 yards of ribbon, the goods of James Nicholson : to both of which indictments she pleaded

GUILTY.—Transported for Seven Years.

2565. ROBERT GARDNER was indicted for stealing, on the 20th of October, 1 watch, value 14s. ; 1 shilling, 1 sixpence, 2 pence, and 4 halfpence ; the property of Harry Belsham ; to which he pleaded

GUILTY. Aged 16.—Judgment Respited.

2566. CHARLES BENNETT was indicted for stealing, on the 10th of October, 1 fender, value 5s., the goods of Henry Joseph Hollywell.

HENRY JOSEPH HOLLYWELL. I keep a broker's shop in Windmillstreet, St. Luke's. On the 10th of October I received information and missed my fender—I went out and met Mr. Routen with it, and the prisoner.

FREDERICK ROUTEN. I live opposite the prosecutor—I saw two men loitering about for ten minutes, and presently I saw one of them take up the fender, and carry it a short distance—I followed and overtook him—the prisoner directly took it from him.

Prisoner's Defence. A man asked me to carry it, and said he would give me 4d. ; I was not with the man ; I turned round, when the gentleman came up.

(The prisoner received a good character.)

GUILTY. Aged 21.—Confined One Year.

2567. SOPHIA FOX was indicted for stealing, on the 5th of October, 2lbs. weight of beef, value 1s. 4d. ; and 12oz. weight of bread, value 2d. the goods of William Polden, her master : and SARAH JONES, for feloniously receiving the same, well knowing it to have been stolen against the Statute, &c.

WILLIAM POLDEN. I keep the White Hart public-house in Tottenham-court-road—Fox was in my service. On the 5th of October, about 1

quarter past eight o'clock, I was watching and saw Jones in the mews under the window—she held her apron up, and received a bundle which Fox threw out—I laid hold of Jones, and found in the bundle a bonnet, some bread and beef—the bread and beef was mine—my house is at the corner of the mews—Fox had got out on the leads of the first-floor window, and threw it over the parapet—Jones was close to the house.

Fox. I called Jones to me—she did not know she was going to receive any thing of me—I did not consider I was stealing any thing—my mistress desired me to give the broken bits away. *Witness.* The beef had been boiled about a day—it was not refuse—she might think there was no harm in giving it away. **NOT GUILTY.**

2568. WILLIAM MOTT was indicted for embezzling and stealing, on the 22nd of September, 7 shillings, and 1 sixpence, which he had received on account of James Sadd, his master.

MR. BALLANTINE conducted the Prosecution.

JAMES SADD. I keep the Penton Arms public-house, in Baron-street, Pentonville—the prisoner came into my service about four months back as pot-boy—I had an account with Mr. Henman, which was going on most of the time the prisoner was with me—on Tuesday, the 22nd of September, he paid me 3s. for Mr. Henman, and said the balance was to be paid the following week.

Cross-examined by MR. JONES. *Q.* In what way did you pay the prisoner? *A.* 5s. a week and his board—for a short period I paid him 4s., and 1d. for every pot he got rid of, but I heard that he gave credit to people whom I did not choose to credit, and increased his wages 1s. a week—I did not make him responsible for credit I gave—when I raised his wages to 5s. I told him, if he gave any credit he must be responsible—I discovered this on the Monday after I discharged him, which was on Friday—I had him taken into custody on the Monday or Tuesday evening, when he came into my house and was smoking his pipe—I had not seen him between the Friday and Monday—he might have been in my house between Friday and Monday, but I did not see him—I do not know that I saw him on Saturday or Sunday—I do not often go into the tap-room—I did not see him in my house on Saturday or Sunday—if any one told me he was there, I did not pay any attention to it, for I did not know till Monday morning that he had robbed me—I do not believe he was in the house on Saturday or Sunday—I do not know where he went to from my house—there had been a quarrel between the cook and the pot-boy shortly before—the prisoner went before the Magistrate about it—I was angry with him for going as a witness against the cook—I discharged him for it, because he had told me he knew nothing about it—I did not say I would *serve him out* for it—I did not say so to any body—I have known the prisoner's father since this occurrence—I never saw him till I saw him before the Magistrate—I never told him that I would *serve the prisoner out*—I said I would make an example of him, as I had been robbed by so many pot-boys—I have not the least feeling against the boy—I did not ask him for any explanation about the money before I gave him into custody—I did not ask why he did not pay me 7s. 6d.—he had been about in the neighbourhood saying that I owed him 3l.—he never stated to me that I was in his debt—he said stoppage of wages was no payment—I never kept back his wages—he always took more than 5s. worth of beer out, and his

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wages were taken out of the beer—I had not been talking about the accounts when he spoke of the stoppage—if he took out 7s. worth of beer, he would have only 2s. to pay me—I allowed him to deduct it—we never had any debtor and creditor account—he booked money to the customers—what he did not book to the customers he was to give me the money for—I did not pay him 5s. on the Friday night—he owes me 6s. 10d. for beer which he took out and did not account for, either by paying or booking—it stood on my slate against him—when he put down customers I did not like, I said, “Don’t trust them any more”—I never said he should pay for what I trusted—he accounted to me every night for the beer.

COURT. Q. When did you receive the 3s., and he said Henman would pay the next week? A. On the Tuesday evening—I discharged him on the Friday week following.

EBENEZER HENMAN. I live in Chapel-street, Pentonville. On the 22nd of September I owed the prosecutor some money—I took a pint of beer of the prisoner, and asked what that made me owe him—he said 7s. 6d. and I paid him 7s. 6d. for his master.

Cross-examined. Q. Had you any bill? A. No—it was not him that gave me credit, but his master.

(The prisoner received a good character.)

GUILTY. Aged 22.—Confined Six Months.

(There were two other indictments against the prisoner.)

NEW COURT.—*Saturday, October 24th, 1840.*

Sixth Jury, before Mr. Sergeant Arabin.

2569. MARY BROWN was indicted for stealing, on the 15th of October, 3 pewter pots, value 3s. 9d., the goods of James Lawrence; to which she pleaded

GUILTY. Aged 55.—Confined Six Months.

2570. JANE MORRIS was indicted for stealing, on the 24th of September, 3 shawls, value 2l.; 2 gowns, value 30s.; 4 pairs of stockings, value 5s.; 2 petticoats, value 4s.; and 2 towels, value 2s.; the goods of Robert Benson, her master; to which she pleaded

GUILTY. Aged 20.—Confined Three Months.

2571. EDWARD WEBSDALE was indicted for stealing, on the 1st of May, 1 pewter pot, value 1s., the goods of John Howard.

HENRY MOUNT. I am superintendent of police at Brinton, in Norfolk. I searched a bundle which had been left at Melton, in a box belonging to Sir Jacob Astley—I found in it seven pots—I took the beer to the prisoner at the workhouse, and he identified it as his—I found a pot belonging to Mr. Howard.

JOHN HOWARD. I keep the Swan public-house, in Hungerford-market. This pint pot is mine—I cannot say when I lost it—it might be a year.

NOT GUILTY.

2572. MICHAEL MORIARTY and JAMES BENSTEAD were indicted for stealing, on the 30th of September, 1 sack, value 2s.; and bushels of split beans, value 16s., the goods of Michael Duggan; to which MORIARTY pleaded GUILTY. Aged 27.—Confined Six Months.

CHARLES FARLEY. I live opposite Mr. Duggan's, in Tower-street, Seven Dials. On the 30th of September, between five and six o'clock in the evening, I saw the prisoner Benstead near the prosecutor's house—he is a carman—he was loitering about—I watched him about a minute—I saw Moriarty come out of Mr. Duggan's directly after with a sack on his back—Benstead stood at the door—he walked on to the corner of Monmouth-street—I then set my boy to watch, and I told the policeman.

WILLIAM LAYLAND (*police-constable F 100.*) I was passing Regent-place, Crown-street, and saw Moriarty and two men assisting him with something on his back—I went up, and asked where he got it—he said it was no business of mine—I took the sack and the contents.

BENJAMIN MORTIMER. I am horse-keeper to Mr. Michael Duggan, in Tower-street, Seven Dials. I went into the kitchen where the corn was kept, and found the door open, and the staple drawn out—I missed this sack of beans, which I had put on one side, because I would not take it out, for it had a hole in it—I know the sack well—here is about three bushels and a half in it—Moriarty used to job for us—I have known Benstead a long time.

THOMAS M'GOVERN. I live with Mr. Duggan. I went out about one o'clock, and padlocked the door—they had broken it open with this poker.

BENSTEAD—NOT GUILTY.

2573. JOHN JONES was indicted for stealing, on the 12th of September, 1 truck, value 2*l.*, the goods of Mark Rawlinson; and that he had been before convicted of felony.

MARK RAWLINSON. I let trucks, and live in Shoe-lane. On the 12th of September the prisoner came, and said he wanted a truck for four hours, and he would return it then—he was to pay me 3*d.* an hour for the use of it—there was a man I knew something of with him, or I would not have let it him—he never returned it—I found it at Mills's the following week.

EDWARD MILLS. I live in Helmet-row, Old-street. The prisoner brought the truck to my house on Saturday evening, the same day as it was lent to him—he offered it for sale for 25*s.*—he said it was his own—I did not give him any thing, because he could not give me a reference—he left it with me late that evening.

Prisoner's Defence. I was in distress; and I owed some rent; I had had no work since I came out of trouble; I had a job to go to the next week; I got the truck with the intent to take it back again when I began work; I went and got another truck, and got 1*l.* for it, and then got some oak plank to cover a drain; I was apprehended, or the truck would have been taken back.

GEORGE HOMER (*police-constable N 229.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—I was at the trial—the prisoner is the person.

GUILTY. Aged 40.—Transported for Fourteen Years.

(There were two other indictments against the prisoner.)

2574. JOHN WILLIAMS was indicted for stealing, on the 20th of August, 1 saw, value 1*s.* 6*d.*, the goods of William Bassett, his master.

WILLIAM BASSETT. I am a cabinet-maker; the prisoner was my journeyman. I saw this saw in my shop on the 19th of August—he came

to work on the 20th—I did not miss the saw till the 21st—the prisoner was taken on another charge—I found among the duplicates found on him one for my saw—this is it—(*looking at it.*)

Prisoner. Q. Have you any marks on it? *A.* Yes, several—you worked for four days and a half, and you might have worked a good many more—you had 5s. a day.

FREDERICK CARTER. I am a pawnbroker. This saw was pawned by the prisoner on the 20th of August.

Prisoner. Q. Was it in the afternoon or the evening? *A.* It is impossible for me to tell—I can swear to your person.

GUILTY.* Aged 23.—Transported for Seven Years.
(There were two other indictments against the prisoner.)

2575. JAMES HARRISON was indicted for stealing, on the 26th of September, 8½ yards of woollen cloth, value 5*l.* 13*s.*; 2½ yards of satin, value 1*l.*; and 4½ yards of woollen-cloth, called tweed, value 1*l.*; the goods of William White and another.

JOHN TOWERS. I am a woollen-draper, in the service of William White and Greenwell, in Blackfriars-road. On the 26th of September, the prisoner purchased goods to the amount of 7*l.* 7*s.* 3*d.*—they were to be sent to the Bell public-house, Fleet-street—they were sent to the prisoner's time—he gave his name as Simpson—they were to be directed to that name, and he said if he was not there, his friend would pay for them—he did not describe who his friend was—I sent Frederick White, our boy, with the goods, and requested him not to part with them till he got the money in one hand and the goods in the other—he returned without the money or goods.

Prisoner. Q. Have you seen me before in your warehouse? *A.* Yes, and you have purchased goods, but the amount has been so very trifling that it led me to have suspicion of you—you have not purchased one-half of the amount of these goods.

FREDERICK WHITE. Towers told me to take the goods to the Bell public-house, in Fleet-street, and to have the money before I parted with them—when I got there I found the prisoner in the parlour—he said his friend had not been there, and I was there rather too soon—he asked me to drink, which I refused—he read about the murder at Ludlow to me, and two or three other things, and told me many other things—after waiting half an hour he took the bill and the parcel off the table, and said he would go up stairs and get the money—I waited in the parlour ten minutes—I then went out and waited about the lobby half an hour—I never got the goods or money—I told the landlady about it, and the prisoner was not to be found.

Prisoner. I did not take them without your permission? *Witness.* You took the parcel, and said you would go up stairs and fetch the money.

CHARLES WILLIAM PARR. I am assistant to Mr. Walton, a pawnbroker, in Mount-street, Lambeth. I produce a piece of cloth—I cannot say who brought it—it was pawned with another piece for 2*l.* on the 26th of September—on the 1st of October a person, who I believe to be the prisoner, came and took part of it away again, and paid me 18*s.* for it.

Prisoner. Q. Can you swear to my person? *A.* No, it was a man about the same height—this is the counterpart of the duplicate.

HYACINTH CLARK (*police-constable H 149.*) I took the prisoner on

another charge, and found six duplicates on him, and one relating to this piece of cloth—it corresponds with this other.

HENRY SOUTH. I am waiter at the Bell public-house in Fleet-street. The prisoner came there on the 26th of September, called for a pint of beer and a pipe, and said there would be a parcel brought for Mr. Simpson—Frederick White came five minutes after—I showed him into the parlour where the prisoner sat—I do not know what became of him afterwards—the prisoner did not lodge in the house—he only came in just before.

Prisoner's Defence. These goods were not stolen. The indictment contains the absurd charge of stealing; they might as well charge me with robbing their warehouse. As I did not forcibly take the parcel away, can any one say I did not intend to return them? but having dealt with both of these prosecutors, I presumed I should be able to pay them. Had another week arrived, without molestation from my prosecutors, I should have arranged the proceedings with them; but both the prosecutors came in full array against me. I allow having acted an imprudent part; and had the indictment been of a milder character, I should not have taken up your time.

GUILTY. Aged 31.—Transported for Seven Years.

2576. **JAMES HARRISON** was *again* indicted for stealing, on the 28th of August, 14½ yards of woollen cloth, value 12*l.* 15*s.*, and 7 yards of kerseymer, value 1*l.* 12*s.*; the goods of Thomas Venables and another.

WILLIAM SAYER SPEDDING. I am shopman to Thomas and John Venables. On the 28th of August the prisoner came to their shop—he was a stranger to me—he selected black cloth and black kerseymer, which came to 15*l.* 7*s.* 9*d.*—he directed me to send it to the Nottingham Castle public-house, in Angel-court, Newgate-street—I sent the porter with them—I told him not to leave the goods without the money—the prisoner said he would pay the porter on delivery—I have never seen them since.

Prisoner. Q. You say you never saw me before? A. No—I have nothing to do with my master having seen you—I have heard you have been there.

JOHN LOCK. I am the porter. I took the goods to the Nottingham Castle public-house, the prisoner was there before me—he asked me to come into the parlour, to take a drop of half-and-half—I did so, and put the parcel on the table—after waiting five minutes, he took it up, and said he would fetch the money—I was not aware but he belonged to the house—he went out—I was ordered to bring the goods or the money back.

Prisoner. You allowed me to take it. *Witness.* You took it off the table.

JOHN HEAPS. I keep the Nottingham Castle public-house. The prisoner was not lodging at our house—he was a stranger—ten minutes before the porter came, the prisoner came in, and had 1½*d.* worth of gin—he then said, “If a parcel comes in the name of Harrison, it is for me”—he went into the parlour, and had a pint of half-and-half—the porter came, he went in to the prisoner, and in about five minutes I saw a person come out with a parcel, and go out—the porter came out and said, “Is that man gone up stairs?” I said, “No, a man went out with a parcel, and you had better go after him.”

Prisoner. Q. Will you swear to my person? A. I will.

HYACINTH CLARK (*police-constable H 149.*) I found the bill of this property on the prisoner, but the goods are not found.

Prisoner's Defence. I really intended to pay for them; it was a momentary embarrassment. I still contend that I did not steal them.

GUILTY. Aged 31.—Transported for Seven Years more.

2577. MARY ANN WILLIAMS was indicted for stealing, on the 25th of September, 1 half-sovereign and 5 shillings; the monies of Mary Ann Guillen.

MARY ANN GUILLEN. I was staying at my brother's, in Britannia-terrace, City-road. The prisoner was his nursery-maid, and had been so about a fortnight—she slept in the same room with me. On the 25th of September I missed a half-sovereign from my purse in my reticule, which I had left in the bed-room—I asked her about it—she strongly denied it at first, but having money in her possession, she was accused again, and acknowledged it.

THOMAS FAGAN (*police-constable N 67.*) I took the prisoner—I said "It is a very bad job for you"—she took off her pocket, and I found this purse and 1s. 1d. in it—I then went up and searched her box, and found no money, but saw her hide something in her hand—I found in her hand 6s.—I asked her whose it was—she said 4s. she had from her mother, and the rest she took from the prosecutrix, and at the station-house she said she took it all from her.

GUILTY. Aged 15.—*Recommended to mercy by the Jury.*—
Confined Three Months.

2578. RICHARD ELLIOTT was indicted for stealing, on the 23rd of September, 1 pair of trowsers, value 16s., the goods of James Smith.

JAMES SMITH. I lodge at the Sun public-house, Gray's Inn-lane. The prisoner lodged there for one night, on the 22nd of September—he did not sleep in the same room that I did—I got up first the next morning, and when the prisoner came down he had a bundle under his arm, which he went out with—I went up stairs in about half an hour, and missed my trowsers out of my room—the prisoner was taken on the 24th—these are my trowsers.

WILLIAM LYONS (*police-constable T 153.*) I took the prisoner, and found on him six duplicates, one of which was for these trowsers.

HENRY CLARKSON. I am a pawnbroker. These trowsers were pawned by the prisoner.

The prisoner pleaded poverty.

GUILTY. Aged 31.—Confined Three Months.

2579. CHRISTOPHER CUNNINGHAM and LEWIS OXLEY were indicted for stealing, on the 4th of September, 1 copper, value 30s.; 30 feet of lead pipe, value 2l.; 4 stoves, value 15s.; 2 ranges, value 30s.; 4 doors, value 2l.; 11 locks, value 18s.; 1 shutter, value 10s.; 1 wooden dresser, value 30s.; and 4 shelves, value 10s.; the goods of George Frederick Norris; the same being fixed to a certain building.

GEORGE FREDERICK NORRIS. I was the tenant of a house in Sydney-terrace, Marlborough-road, Chelsea; it was empty. Cunningham was porter at the Literary and Scientific Institution, and Oxley, who is his son, was acting under him at the same place—I put them into the house about a fortnight after Midsummer—they were to remain till the Michaelmas quarter had expired—I went there in September, and could not get in—I

got in on the last of September, and found all the property stated removed, which had all been fixed to the freehold, and was worth about 15*l*.—I have found one stove, which I can identify—it is here—the other things were sold, but broken up.

ELIZABETH HOLLOWAY. My father keeps a marine-store-shop at Chelsea. The prisoners came to the shop together, Oxley with some iron, and Cunningham with a stove—my father bought the things of them—he gave them 2*s*. for the stove—they came together there twice—one of them, but I cannot say which, sold some cheeks and trevets for old iron.

CUNNINGHAM—GUILTY. Aged 42.—Confined Six Months.

OXLEY—GUILTY. Aged 16.—*Recommended to mercy.*

Confined One Month.

2580. JAMES HAMMOND was indicted for stealing, on the 9th of October, 2 brushes, value 5*s*., the goods of William Cubitt.

BENJAMIN MEAD. On the 9th of October I saw the prisoner coming from a cottage which Mr. Cubitt is building in St. Pancras—there was another man with him who gave the prisoner a parcel—I cannot say what it was.

JOHN DODD. I went after the prisoner—his companion got away—I took the prisoner, and found on him these two brushes, which I knew had been in the building.

JOSEPH WILLIAMSON. I am foreman to Mr. Cubitt. These brushes are his—they are used by plasterers—they were in the yard of the building—the prisoner had no business there.

Prisoner's Defence. I was going round by the Cemetery and picked up these brushes—the man asked what I and got—I said, "Nothing" at first, had then I showed them to him.

GUILTY. Aged 20.—Confined Three Months.

2581. WILLIAM WILSON and CHARLES JACQUES were indicted for stealing, on the 3rd of October, 1 pistol, value 4*l*. 10*s*.; 1 powder-flask, value 5*s*.; 2 handkerchiefs, value 3*s*.; 1 shirt, value 4*s*.; one cloak, value 1*l*. 6*s*.; $\frac{1}{4}$ of a yard of cashmere, value 7*s*.; and 5 $\frac{1}{2}$ yards of velvet, value 18*s*.; the goods of Christopher Payne.

CHRISTOPHER PAYNE. I live at Chesham, and drive my own stage-coach. On the 3rd of October I lost nine paper parcels from my coach which were booked at the Bull inn to go by my coach—I saw them safe in the back of my coach when I left the Essex Arms, at Watford, and when I arrived at Rickmansworth I missed them—they had been in the hind boot, which was not locked, only pinned—it had been opened and closed again as I had left it—I did not know the prisoners till I saw them in custody at Clerkenwell prison.

MICHAEL MANNING. I am a hair-dresser, and live in Lisson-grove—the prisoners came to me one Sunday night and asked for a lodging—they had each a bundle on their backs—I gave them a lodging, and they took the bundles into their bed-room—they came down the next morning, and gave me the bundles to take care of—I afterwards gave information to the police.

CAROLINE BASSETT. I live servant with Mr. Manning. The prisoners came to the house one Sunday night, and on the Monday morning they came down and gave the bundles to Mr. Manning to take care of—they said they were going to the play, and should not be home till late—on the Tuesday they asked for the bundles, and took them into the passage, and

opened them—they then went out—Wilson came back afterwards, and asked for Mr. Manning—I said he was not at home—he opened one bundle, and took a silk cloak out, and went away.

THOMAS STACK (*police-constable D 100.*) Mr. Manning gave me notice—I found the two prisoners in Stingo-lane—I followed, and overtook them in York-street—I asked what they had got in their bundles—they turned, and said to Manning, who was with me, “You can see”—I took them to the station-house—I found in Wilson’s bundle a silk cloak, and on his person 21s. 4d. in silver, and 1½d. in copper; a knife, a pistol-screw, and a powder-flask—these are the articles.

HARRIET LONG. I bought this cloak and sent it directed to my sister—I had it booked at the Bull, in Holborn.

ANDREW TACKLEY. I am shopman to a pawnbroker. I sent a parcel to a person at Rickmansworth—this waistcoat-piece was in it—I booked it at the Bull, in Holborn.

JAMES UTTON TURNER. I received an order from Mr. Richardson, of Rickmansworth, for some velveteen, we made it up, and I took it to the Green Man public-house, to go to him—this is it.

Wilson’s Defence. This day three weeks we were going along the road, and found these things in a field—we pulled off our smock-frocks, put them in, and next morning we came up to town.

Jaques’s Defence. We heard a noise on the other side of the hedge—we went back to the gate, and heard some one run away—I did not see any one—we there found these things.

WILSON—GUILTY. Aged 21.—
JAQUES—GUILTY. Aged 21.— } Transported for Seven Years.

2582. JOHN BRADY was indicted for stealing, on the 17th of October, 1 coat, value 20s., the goods of John Castle Hance.

THOMAS RAFFAN. I work with my father, who keeps a stand in Covent-garden-market. On the 17th of October I saw the prisoner go and take a coat off a countryman’s horse, which was in the cart, and the countryman was in the cart—there was a bigger boy with him, and he said to the prisoner, “You go and take the coat”—the prisoner did so—I ran and seized him.

JOHN CASTLE HANCE. I am a fruit-dealer. I had my horse and cart in the market—I left my great coat on the back of the horse, while I was unloading—I saw the prisoner with my coat on his arm—this is it.

Prisoner’s Defence. A young man took the coat off the horse, and dropped it—I took it up, and was going to give it to the man who lost it—Raffan knows me very well, and knows that I get my living there.

GUILTY.* Aged 17.—Confined Six Months.

2583. SARAH HUME was indicted for stealing, on the 25th of September, 1 table-cloth, value 2s.; 1 blanket, value 5s.; and 1 pillow, value 2s.; the goods of James Garnell.

JAMES GARNELL. I keep a house in Pond-place, Fulham-road. The prisoner took a furnished room of me, and remained not quite a fortnight—on the 25th of September I went into her room when she was out, and missed the property stated—she left me that morning without notice—I saw her again the same evening, and gave her into custody—this is my property—(*looking at it*)—she did not owe me any thing.

JAMES IRWIN (*police-constable B 131.*) I took the prisoner, and found

some duplicates on her, which led me to Mr. Hyam's, a pawnbroker in the Fulham-road—she acknowledged to pawning the property there.

Prisoner's Defence. They would have been made good on the Saturday—I had no thought of leaving—I was distressed to make up a little money, which I was to receive on Michaelmas-day.

GUILTY. Aged 55.—*Recommended to mercy.*—Confined Six Days.

2584. **SIMON MOSES** was indicted for stealing, on the 5th of October, 260lbs. weight of hair, value 10*l.*, the goods of John Winkfield.

JOHN SILLITO. I am in the service of John Winkfield, a hair manufacturer in the Southwark-road. On the 5th of October I saw a person very much like the prisoner, come out of an iron-shop with a heavy bulk, which was put into a cart—I spoke to Morris, and we followed the cart to Petticoat-lane—I there spoke to a policeman, who stopped it, and found it was curled hair—my master had lost such, and about the same quantity—there were eight pieces more lost—the carman, Dix, was taken into custody.

GEORGE DIX. I am a corn and coal-dealer, and keep a horse and cart. On the 5th of October, about ten o'clock, the prisoner came and asked if I could do a little job with a horse and cart—I said I thought I could—he said, "You must come directly to Mr. Jones, in the Mint, I want you to take some goods to my house in Petticoat-lane"—I went, and got there at half-past ten o'clock by my watch—the prisoner pointed out two bales of goods which were in Mr. Jones's house—one of them was put into the cart, the other was very heavy—the prisoner was not able to assist me with that, and a person lent us a hand—the prisoner told me to go as quickly as I could to his house in Petticoat-lane, and he would be there as soon as I was—I went, and found him standing on the pavement—there was a scavenger's cart, and the prisoner said he did not think I could get by—I said I could if he would take the horse's head and turn it—I got out of my cart to lay hold of my horse's head—the officer then took me, and said I had stolen property in the cart—I said I was not aware of it, but there was the man who hired me—the officer said, "Where?"—I looked, and could not find the prisoner—I said, "He lives in here"—we went into the house—a person said he was gone up stairs, and another said he was gone down the street—I looked, and saw the prisoner walking about twenty yards from the house—I said to the policeman, "That is the man yonder, follow me, and I will soon catch him"—I ran and caught him—I said, "You have got me into trouble, you have got stolen property put into my cart"—he said, "I know nothing about it"—I said, "Never mind, come with me"—I turned him round, and the policeman took charge of him, and told me I must follow him to the station-house—I got into my cart and followed him with the hair—this is part of it.

JOHN SILLITO *re-examined.* I believe this hair to be my master's.

Cross-examined by Mr. PHILLIPS. **Q.** Can you take upon yourself to swear positively to it? **A.** No, my master might have four or five tons of it—I did not go through his stock to see what was missing—this was sent to Mr. Taylor's, a baker, to bake, and was stolen from there.

COURT. **Q.** You said you lost the amount stated? **A.** Yes, this corresponds in quantity and quality—I believe this to be my master's.

JAMES EDWARDS. I am foreman to Mr. John Winkfield. On Saturday evening, the 3rd of October, I sent thirty pieces of hair to be baked—there

were from 250 to 360lbs., or a little more—I sent it in a cart to a baker's in Union-street—I have no doubt this hair is my master's—I would not go so far as to swear it.

Cross-examined. Q. Can you tell us what the weight of this is now? A. No, I have not weighed it—it is wetted before it goes into the oven.

COURT. Q. Did you remark how it was tied? A. I saw a mark on it—here is a mark on this, but it is so knocked about that I cannot swear to it, but it is so like the mark that I think it is it.

JURY. Q. How many pieces were there? A. Thirty were sent to the baker's, and we have got twenty-two—part has been lost.

(The prisoner received a good character.)

GUILTY. Aged 61.—Confined Six Months.

2585. MARY HILL was indicted for stealing, on the 13th of October, 8 yards of fringe, value 14s., the goods of William Hind and another, her masters; to which she pleaded

GUILTY. Aged 19.—Judgment respited.

2586. HENRY PENNY was indicted for stealing, on the 7th of August, 1 till, value 3s.; 1 crown, 2 half-crowns, 1 shilling, 60 pence, 240 halfpence, and 140 farthings, the property of Eliza Jobson.

JOHN LUTMAN. I am a sawyer. On the 7th of August, I was going to the prosecutor's beer-shop in Macclesfield-street, about three o'clock—when I was about three yards from the door, I saw the prisoner come out with a till—he spoke to some person and walked away—I gave an alarm, and then went after him, but he got away.

RICHARD PARVISOL. I was going down Macclesfield-street, about seventy yards from the beer-shop, I met the prisoner running with the till, holding it out in his hand—there were some others behind him, calling "Stop thief"—they proceeded down City Garden-row.

WILLIAM GUDGEON. Eliza Jobson is my daughter, I manage the beer-shop for her. On the 7th of August, Lutman came and asked me something, and I missed the till, which contained a five shilling-piece, two half-crowns, and the other money stated—it is lost altogether—I did not see the prisoner in the shop.

WILLIAM HORSNELL (*police-constable G 172.*) I apprehended the prisoner about six weeks after the robbery—I took him to the station-house—the witnesses came and said he was the man they saw come out with the till—when he first saw me he sat off running—I ran and caught him—he threw himself on the ground and said, "It was not I—it was not I"—I had said I wanted him for felony.

Prisoner. I did not run away—I said I would not go without he told me what it was for—I was in the country at the time of the robbery.

GUILTY.* Aged 19.—Transported for Seven Years.

2587. THOMAS BROWN was indicted for stealing, on the 9th of October, 2½ yards of kerseymere, value 15s. 4d., the goods of James Lake Langley.

ELIZABETH LANGLEY. I am the wife of James Lake Langley, a tailor, who lives in Church-street, Minories. I was in the shop on the 9th of October, and saw the prisoner looking in at the window for some time—he then went suddenly to the door and pulled this kerseymere down, and broke the chain it was fastened to—he ran away—I pursued, calling "Stop thief"

he threw the cloth down—I took it up, and he was brought back directly—he had carried it about a hundred yards—this is it—(*looking at it.*)

Prisoner. I had nothing to do with it, I was going home.

GUILTY.* Aged 14.—Transported for Seven Years.—Convict Ship.

2588. ANN DAWSEY was indicted for stealing, on the 9th of October, 7 iron bars, value 5s., the goods of John Dawson.

FREDERICK HUGHES. On the 9th of October, I saw the prisoner remove some iron bars which had been left on the wall of a house at Paddington—she put them on the lead flat, and from thence to the back office—she then went away with them, about ten o'clock in the morning, and again, about one.

Cross-examined by MR. DOANE. Q. Did you see her carry them out of the house? A. No, merely removing them.

WILLIAM PARSONS (police-constable D 182.) About half-past one o'clock, on the 9th of October, I saw the prisoner in the Edgeware-road, carrying some iron bars—I followed her to a marine-store shop, and she put them into the scale just as I came up—the scale was all ready for them—I asked her what she had got—she said it was no business of mine—I found it was these seven bars of wrought iron—she then said she had brought them from her master, and there were plenty more there which were of no use—on her way to the station-house she said her husband gave them to her, and then that she picked them up amongst some rubbish—here is 42lbs. weight of it.

GEORGE WRIGHT. I am in the employ of Joseph Dawson. These are his property—they were some surplus rails which had been left there.

GUILTY. Aged 25.—*Recommended to mercy.*—Confined One Month.

2589. LOUISA WADE was indicted for stealing, on the 11th of October, 1 sheet, value 3s.; 2 shirts, value 3s.; 1 shift, value 1s.; 1 bed-gown, value 6d.; and 1 pillow-case, value 6d.; the goods of James Sharp.

WILLIAM PARSONS (police-constable D 182.) I was on duty, on the 11th of October, in Old Church-street, Paddington, and saw the prisoner carrying this bundle—I asked what she had got—she said, "Nothing"—I said, "There is something," and asked her where she got it—she then said she brought it from home, and did not know what was in it, as it had been left there by some person—I found it was wet linen—I said she must go to the station-house, and on the way she ran off as fast as she could—I caught her again.

Cross-examined by MR. ADOLPHUS. Q. Did you not ask where her home was? A. Yes, at the station-house, and she told me.

SARAH SHARP. I am the wife of James Sharp; we live at Paddington. I lost these articles from the copper at my house.

Cross-examined. Q. Does the prisoner live in the same house with you? A. Yes—we were not on friendly terms lately—it was on Sunday night she was taken—we both washed in the same wash-house and the same copper—the prisoner's husband is very ill, and one of her daughters is an idiot—she is an industrious, hard-working woman.

(The prisoner received a good character.)

GUILTY. Aged 48.—*Recommended to mercy by the Jury.*
Confined Two Months.

2590. CHARLES DYER was indicted for stealing, on the 12th of October, 1 bushel of oats and chaff mixed, value 1s. 6d.; the goods of Ebenezer Mannering, his master.

EBENEZER MANNERING. I am a tailor, and live in Charles-street, Middlesex hospital. The prisoner was my errand-boy, and I trusted him to feed my pony, but as I suspected the pony did not get all the corn he ought, I watched the prisoner—he came in from an errand on the 12th of October, and I sent him with the usual feed to the pony—it was one quart of oats and chaff mixed—I followed him to the top of the mews where the stable is, and I shortly saw him come out with the basket on his arm, in which he had carried the feed—I followed him to his home, in Union-street—I then went back to the stable, and the pony had no corn in his manger—I took a policeman and went to the prisoner's—I there found the basket with some oats and chaff mixed, similar to what I had sent him with, and besides that I found a bushel of the same mixture.

Prisoner. He never allows the horse half food to eat—I have many times given him a quart of corn out of my own pocket—that he found was my father's—my mother said, "Why don't you give this to your master?"—I said I thought it would offend him. *Witness.* I allowed my pony two feeds a day, morning and night, and occasionally a third, according to his work—this is the second pony I have had, and they have fallen away.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Three Months.

2591. GEORGE MILLS was indicted for stealing, on the 4th of October, 1 umbrella, value 15s., the goods of John Hodgkin Peach.

JOHN HODGKIN PEACH. I live at Cambridge-heath. On the 4th of October I went to Mr. Burrows's house—I left my umbrella behind me—this is it—(*looking at it.*)

GEORGE BURROWS. The prosecutor came to my father's house, and left his umbrella, and my mother sent me to look for him with it—I went out, and saw the prisoner—I thought he was Mr. Peach—I said to him, "Please, sir, have you forgot your umbrella?"—he said, "Yes, I quite forgot it," and I gave it to him.

MARY ANN NEWMAN. I am bar-maid at the Black Bull public-house, at Kingsland. The prisoner came and offered me the umbrella—he said he found it as he was walking across the Down—I said it might have blown off a coach in the night—I bought it of him for 3s.

(The prisoner received a good character.)

GUILTY. Aged 31.—Confined Six Days.

2592. WILLIAM HOOLE was indicted for stealing, on the 25th of September, 3 yards of printed-calico, value 1s. 6d., the goods of George Edward Everson, his master.

GEORGE EDWARD EVERSON. I am a calico-glazer, and live in Westop-place, King's Cross; the prisoner was in my employ. On the 25th of September, I missed this calico, I accused him of taking it, and he left my house—I went with the policeman to the prisoner's lodging—he was not at home, but I found the property there—when I saw him again in the evening he said he was very sorry, and wanted me to let him go—this is my calico—(*looking at it.*)

Prisoner's Defence. I found my wages of 12s. a week insufficient to

support my wife and increasing family, and I endeavoured to get some tools to work at home—I took this piece home to try my tools—I did not intend to deprive my master of it.

GUILTY. Aged 25.—*Recommended to mercy by the Jury and Prosecutor.*
Confined Six Days.

Fifth Jury, before Mr. Recorder.

2593. JOHN WILLIAMS was indicted for stealing, on the 5th of October, 1 pewter-pot, value 1s. 6d., the goods of Thomas Bennett; and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 23.—Transported for Seven Years.

2594. JOHN CATER and RICHARD PHILLIPS were indicted for stealing, on the 21st of October, 1 saddle, value 5s., the goods of Richard Cross; to which

CATER pleaded **GUILTY.** Aged .—Confined Three Months.

PHILLIPS pleaded **GUILTY.** Aged .—Confined Twelve Months.

2595. ROBERT BRANCH and WILLIAM REYNOLDS were indicted for stealing, on the 17th of October, 39lbs. weight of lead, value 5s., the goods of Thomas Cook, and fixed to a certain building; to which

BRANCH* pleaded **GUILTY.** Aged 19.—Transported for Seven Years.

REYNOLDS pleaded **GUILTY.** Aged 21.—Confined Twelve Months.

2596. HENRY EDWARDS was indicted for stealing, on the 9th of October, 36 pairs of gloves, value 3l. 16s., the goods of Henry Wales.

ROSANNAH WALES. I am twelve years old, I live with my father, Henry Wales, a glover, in Providence-row, St. Luke's. On the morning of the 9th of October, the prisoner came and asked to look at a belt—I showed him one marked 2s. 6d.—he said he would give me 2s. for it—I could not take that—he then asked to see some satin stocks—I showed him one marked 7s. 6d.—he offered 6s. for it—I refused it, and on his going I looked into the window near where he had been, and missed a dozen black kid gloves—I called the landlord's niece to mind the shop, and I went into the City-road after him—I saw him, and called "Stop thief"—he ran off—he was afterwards brought back—the policeman had one dozen of gloves in his hand, and another dozen were in the hands of Mr. Pett.

HENRY WALES. I am a glover, and live in Providence-row, St. Luke's. On the 9th of October, I left home about half-past ten o'clock in the morning—I left my daughter in care of the shop—about a quarter past twelve I found the door was closed, and she was gone to the station-house—on going to my window I missed three dozens pairs of gloves—they had been safe when I left—I went to the station-house and saw two dozen of my gloves there.

JAMES PETT. I live in Castle-street, City-road, and am a shoemaker. On the 9th of October I was in the City-road, and saw the prisoner walking gently along—he had his apron on his left-arm—I heard an alarm of "Stop thief," and saw Rosannah Wales running after him—he then went into the road—he dropped one parcel of gloves, which I took up, and a little further he dropped another parcel—I still pursued, and caught him in Tabernacle-row, without losing sight of him—he said, "Oh"—I saw the officer, who had a dozen of gloves with him.

JAMES GALLAVAN (*police-constable H 73.*) I was in the City-road,

and saw Mr. Pett calling "Stop thief," and running after the prisoner—I ran, and saw the prisoner drop a packet of gloves—Mr. Pett took them up—I pursued the prisoner, and he dropped another packet of gloves, which I took up—I took the prisoner in Tabernacle-row, just as Mr. Pett came up to him.

(*Property produced and sworn to.*)

GUILTY.† Aged 16.—Confined Twelve Months.

2597. WILLIAM BATCHELOR was indicted for stealing, on the 10th of October, 1 counterpane, value 10s.; 1 table-cloth, value 5s.; 1 shirt, value 5s.; 1 night-gown, value 2s.; 4 gowns, value 2l.; 1 shirt, value 1s.; 1 pair of stays, value 1s.; 1 shawl, value 4s.; 1 towel, value 1s.; 4 spoons, value 1l.; 1 brooch, value 10s.; 1 breast-pin, value 10s.; 3 ear-drops, 1l.; 1 pair of ear-rings, value 5s.; 5 rings, value 11s.; 20 planes, value 2l. 16s.; and 2 squares, value 9s.; the goods of William Griffiths.

MARY GRIFFITHS. I am the wife of William Griffiths; we live in Esher-street, Westminster; the prisoner occupied a furnished room of ours for ten weeks. On the 9th of October I missed from a box in my own bedroom the table-cloth and other articles stated in the indictment, which are worth about 10l. 15s.—I went into the prisoner's room and missed the counterpane from his bed—I spoke to the prisoner's wife, and she acknowledged that he had taken the counterpane—the prisoner did not return till half-past twelve o'clock at night, and I then gave him in charge—I missed twenty planes and some other tools, which have not been found.

EDWARD GRAVES. I was assistant to Mr. Page, a pawnbroker, at Vauxhall. I produce a gown pawned by the prisoner for 6s.

WILLIAM PINK. I am shopman to a pawnbroker in Regent-street. I produce a counterpane pawned by the prisoner on the 11th of August, and a bed-gown pawned by him on the 8th of October.

GEORGE LARBOR (*police-constable B 146.*) I received charge of the prisoner—I found on him the duplicate of the counterpane.

(*Property produced and sworn to.*)

Prisoner's Defence. It was entire distress drove me to it—I had two children almost dying—I left a good situation to get into the Police, and had waited ten weeks for it.

MARY GRIFFITHS. I do not consider he took these for the support of his family—his wife's two sisters were the principal support of his family—he was generally out till twelve or one o'clock, and sometimes at night.

GUILTY. Aged 25.—Transported for Seven Years.

2598. JAMES BURGESS was indicted for stealing, on the 16th of October, 3 feet of leaden pipe, value 1s. 6d.; and 1 metal cock, value 3s. the goods of William Knighton.

WILLIAM KNIGHTON. I am an oilman, and live in Leather-lane. I lost this brass cock and lead pipe on the 16th of October—the prisoner was brought to my shop by Mr. Hilliard, and I gave him in charge in consequence of what was stated—I had seen the cock and pipe fixed to the water-butt ten minutes before.

AMBROSE HILLIARD. I am a straw-hat maker, and live at the prosecutor's. On the 16th of October I went into the back yard, and saw the prisoner at the water-butt—he turned, came out of the street-door, and

away, and I after him—I took him in Hatton-garden, with this pipe and cock in his pocket.

JOHN BROOMHALL (*police-constable G 192.*) I took the prisoner, and produce the articles—a person could get into the prosecutor's premises by a private door, and the water-butt stands on the right hand.

GUILTY. Aged 20.—Confined Six Weeks.

2599. JANE CALE was indicted for stealing, on the 15th of October, 2 20*l.* Bank-notes, and 1 10*l.* Bank-note, the property of Henry Dale, from his person.

HENRY DALE. I live at Hounslow. On the evening of the 5th of October I saw the prisoner in the Haymarket, between six and seven o'clock—we got into conversation, and went to a public-house, and had something to drink—I met with two other females—I and the three women went to a house in Coventry-court—we got into conversation together there, and after a few minutes the prisoner left the room—I had not given any of them money to get drink, but I gave one person a shilling for the room—soon after the prisoner had left I put my hand into my pocket, and missed two 20*l.* and one 10*l.* note, which I had taken of Mr. Jenkins—my notes were safe when I gave out the shilling, and the prisoner left the room in five or ten minutes—the women were in close conversation, but I do not know what might pass—I was not quite sober, but knew what I was doing.

JOSEPH BOTT JENKINS. I live in Angel-court, Throgmorton-street, and am a stock-broker. On the afternoon of the 5th of October I paid the prosecutor 50*l.* in two 20*l.* notes and one 10*l.* note—I put on the notes which pass through my hands the names of the persons from whom I receive them.

ROBERT BERNAND. I am in the service of a linen-draper in Leicester-square, about five minutes' walk from Coventry-court. On the 15th of October the prisoner came to our shop, about eight o'clock in the evening—I sold her a cloak, a boa, a piece of Irish linen, some silk, and other articles to the amount of 12*l.* 0*s.* 4*d.*—she paid me with a 20*l.* note, which I produce—I asked her name and address—she said Mr. Brook, Brompton, and I wrote it on the note—I gave her 7*l.* 19*s.* 8*d.* change—she then asked me to give her change for another 20*l.* note, which I declined—she then left the shop—I sent a porter with her with the goods.

WILLIAM GARRARD. I am an assistant in the same shop as Mr. Bernand. On the 15th of October I watched the prisoner from the shop to the Black Horse public-house in Coventry-street—she there got into an omnibus, which our porter put the parcel into—I got into the omnibus, and sat next to her—she went on to Knightsbridge, then got out, and went into a house—I went in after her—she then came back to town with the bundle—I followed her to St. James's-park, down Constitution-hill, and on to the Horse Guards—I spoke to a policeman, and we stopped her there—he asked if she had been to Leicester-square—she said "No"—he said she must go to the station-house—I followed her, and saw a piece of paper fall from under her clothes—I took it up, and it was a 20*l.* note—at the station-house she denied having any money but the change she had received—she gave up her pocket, and this 10*l.* note was found in it.

BENJAMIN COLE (*police-constable A 138.*) On the 15th of October at night I was on duty near the Parade, in St. James's-park—Garrard spoke

to me—I followed the prisoner to the Horse Guards, and took her—I asked what she had got, and where she was going—she said to her milliner's—I asked if she recollected changing a 20*l.* note—she said no, the goods she had she had paid for in gold—I took her to the station-house, and saw Garrard pick up a 20*l.* note on the road there—at the station-house the prisoner delivered up seven sovereigns, six half-crowns, one shilling, and one sixpence—she said she had more—the Inspector said she should be searched by a female—she then delivered her pocket, and in it was a 10*l.* note, a sovereign, and a fourpenny-piece—she said a gentleman named Marsh had met her by appointment at Charing-cross that afternoon at three o'clock, and given her the money, and that she lived in Mason-street, Lambeth.

MR. JENKINS *re-examined.* This 20*l.* note, produced by Bernard, is one of the notes I paid to Mr. Dale, and those produced by the officer are the other two.

Prisoner's Defence. I met the gentleman, and he asked me to go to a house with him, which I did; I do not know where; after I had been in the room some time, he put some paper into my hand, and said it was money, and he would meet me the following day at half-past six o'clock.

HENRY DALE *re-examined.* I did not put any paper in her hand.

GUILTY. Aged 22.—Transported for Fifteen Years.

2600. HENRY WITHAM was indicted for stealing, on the 19th of September, 2 soldering-irons, value 4*s.*; 3*lbs.* weight of zinc, value 1*s.* 6*d.*; 1 screw-driver, value 1*s.*; 3 oz. weight of brass wire, value 3*d.*; $\frac{1}{4}$ *lb.* weight of copper, value 10*d.*; 300 nails, value 6*d.*; 8*lbs.* weight of metal, value 3*s.*; the goods of William Tucker, his master:—and MART WITHAM, for feloniously receiving the same, well-knowing them to have been stolen; against the Statute, &c.

MR. JONES conducted the Prosecution.

JAMES SKIRROW. I am in the service of William Tucker, an ironmonger at Brentford. The prisoner, Henry Witham, was in his employ for about twelve months—he worked on the premises—it was my duty to give him out materials to work on—he used his master's tools—this piece of metal which was bought by Mr. Solomon's nephew I believe belonged to Mr. Tucker—about three weeks previous I gave the prisoner a quantity of these metal spoons to melt down to solder, which he never produced—here are a pair of soldering-irons which were found at his house afterwards—he was authorised to take them away to do work with.

Henry Witham. Q. How do you know these spoons? A. I believe them to be my master's by their appearance—there is no particular mark on them—in my judgment they look like the same—I can swear to that from the make of them, and from the handles.

MR. JONES. Q. Is there any other piece of copper or brass that you can speak to with more certainty? A. There is not—only a screw-driver which was found at the prisoner's house, with Mr. Tucker's initials on it—he had no right to take that without leave—we can hardly tell whether such is missing—we had such, and as far as my judgment goes, I believe them to be my master's—the prisoner has had frequently to go out to do work with this kind of metal, but he ought to have brought what he did use back—I suppose this to be the same that was delivered to him—this piece

of brass screw was sold to Solomon, and I have the cap which fits it—I can swear I gave this to him to do a job with—he did the job, but did not bring the remains back—he had no right to dispose of any—I never saw Mary Witham there—she was not allowed to come.

GEORGE SOLOMONS. I am a dealer in marine-stores, at Brentford-end. Mary Witham came to my shop several times in March or April—I did not receive any of these articles from the prisoners, I never saw them.

JOHN SOLOMONS. I am nephew to George Solomons. Mary Witham came to my uncle's shop several times—the first time was three or four months ago—she brought these articles there about five weeks ago, and proposed to sell them—I bought them of her for 1s. 3d.—she said her name was Mary James, and she lived in Windmill-lane, they were her own things—I took them to Mr. Tucker—I did not buy this piece of zinc of her.

JOHN HANSLOW (*police-constable T 68.*) On a Saturday evening, a short time ago, I went to Mr. Tucker's shop, he gave Henry Witham into custody—I went to the prisoner's house, and there apprehended Mary Witham—she answered to the name of Witham—I found there two soldering-irons, a screw-driver, 4lbs. of metal, some nails, and some zinc.

Henry Witham. Q. Were they locked up? A. No, I found some under some boards, some under the bed—the bars were behind the pig-sty, and one soldering-iron was under the grate.

NOT GUILTY.

2601. PHILLIP BRAGG was indicted for stealing, on the 20th of October, 1 pair of trowsers, value 1l. 3s., the goods of John Sewell.

MICHAEL HAEFFLE. I am a tailor, in the employ of Mr. John Sewell, in the Commercial-road. On the 20th of October I heard a kind of rustling noise, as if something had been taken from the brass railing inside the shop, where we commonly hang clothes—I got up immediately, ran to the door, and saw a person like the prisoner with a dress like the one he has got on, making a kind of fastish trot—I pursued him—he was very busy, tucking something under his coat—I called out, "Stop him"—he seemed to go faster—he went down the first turning into George-street—I followed him, and calling "Stop thief," he ran quicker—I had slippers on, and I lost sight of him—I picked up the trowsers under the railroad arches, where I lost him, in going through a passage—he got through one of the arches—I saw nothing but his back—the prisoner has all the appearance of that person.

JAMES CREEK. I work for Mr. Ellis, a green-grocer in the Commercial-road—I saw the prisoner running in George-street, tucking something up like a pair of trowsers—when he came to the railroad he dropped the trowsers, and ran down the passage—I followed, and lost sight of him—when we came back, a person said, "There he goes," and we followed the prisoner down Queen-street—I overtook him, tapped him on the shoulder, and asked him to come back with me—he said, "No"—I said, "I will keep you till a policeman comes"—I kept him till a parcel of coalheavers came by, and one of them said, "Up with your hand, and give him a smack in the mouth"—I said, "No, he won't, nor you either"—they went on—the prisoner up with his foot, and kicked me in * * * *—a sergeant of police came, and he was taken—I went to the station-house with my hands on two boys' shoulders, and was examined by a doctor—he said if the kick had been a little farther it might have ruined me for life—I have not been able to work since.

WILLIAM PARAMORE. I am a policeman. I took the prisoner, and have the trowsers.

(Property produced and sworn to.)

GUILTY.* Aged 19.—Transported for Seven Years.

2602. CATHARINE MADDIGAN was indicted for stealing, on the 23rd of October, 1 watch, value 2*l.* 17*s.*; and 1 guard-chain, value 2*s.*; the goods of John Shingle, from his person.

JOHN SHURGLE. I live in Carnaby-street. On the 23rd of October I met the prisoner in Holborn, and went with her to a room on the ground-floor of a house in Vine-street, Bedford-square—I had a silver watch in my waistcoat pocket, and a guard-chain round my neck when I went into the room—about ten minutes after I missed them, I called the police—he came directly, and took the prisoner to the station-house—my watch and chain were brought to me by the female searcher—I also lost a half-crown and 2*s.* from my coat pocket, and 6*d.* from my trowsers.

Prisoner. You gave me the watch to keep till the morning. Witness. No, I did not—I threatened to beat her brains out on the floor if she did not give me the watch—I called the police, when she would not give it up.

JOHN KEY (police-constable G 196.) I heard a call in Vine-street—I went into the room on the ground-floor—I found the prosecutor and the prisoner—the prosecutor charged her with taking the watch—she said she knew nothing of it—I took her to the station-house—the female searcher was employed, and I saw the watch produced.

MARY ANN REDMAN. I am the wife of Henry Redman. I searched the prisoner between four and five o'clock on Friday morning, and found a silver watch and guard, and 3*s.* 6*d.* and 1½*d.* in money—the watch was under her arm—she kept her arm very tight—I undressed her, and did not find it—I still thought she had something about her—I gave her her pocket, and then I saw her arm was tight—she was telling me a story of another girl that was with her who had the watch, and that she had not got it—I took up her arm, and said, "Here is the watch, how can you tell me such a story?"

Prisoner's Defence. I had it in my bosom; he gave me 1*s.*, and said he would pawn the watch in the morning, and give me more; I had the half-crown myself; he only gave me 1*s.*

GUILTY. Aged 22.—Transported for Ten Years.

2603. GEORGE PEARSON, RICHARD MILLS, and GEORGE NIXON, were indicted for stealing, on the 12th of October, 3 handkerchiefs, value 10*s.*, the goods of Samuel Preston Child; to which

PEARSON pleaded GUILTY. Aged 20.—Confined Three Months.

NIXON pleaded GUILTY. Aged 14.—Confined One Month.

MARTHA CHAPMAN. I am servant to Samuel Preston Child—he lives at Clapton. On the 12th of October I hung out some clothes to dry in a field—there were amongst them some silk handkerchiefs—in the evening I took the things in—when I went to fold them I missed some handkerchiefs—in consequence of information which I received from the police, I went to Worship-street, and there saw two of the handkerchiefs, which were worth 5*s.* or 6*s.*

JOHN ELLIOTT. I am a pawnbroker, in the Kingsland-road. On the 12th of October I saw the prisoner Pearson—I did not see the other two.

HENRY TURPIN. I am a policeman. I apprehended Mills on Monday

last, and asked if he knew what I was come for—he said, Yes, handkerchiefs, he supposed—I am sure of that—as we were going to the station-house, he said he was going with Pearson and Nixon into the country to pick blackberries, when they came to a gentleman's lawn, and saw these handkerchiefs on it—that he went in with Pearson, that he took two of the handkerchiefs off the line himself, and Pearson took the other, and Dixon remained outside in the road to watch—I took Dixon—he said that they had pawned the two, and sold the other in Petticoat-lane, and received 1s. 8d. a-piece—he described the place, which was the premises of Mr. Child.

MILLS—GUILTY. Aged 12.—Confined One Month.

2604. JAMES WALDEN was indicted for stealing, on the 21st of October, 1 coat, value 1l., the goods of Thomas Vesper.

GEORGE CORNER. I am assistant to Mr. Thomas Vesper, a pawnbroker, in Sydney-place, Commercial-road. On the 21st of October I was behind the counter, and heard a cry of "Stop thief"—I went out at the side door, which opens into Exmouth-street, and saw the prisoner running away as fast as he could—I stopped him with the assistance of another man in the street—he inquired for his basket—I said I had not seen it—he asked me to look after it—I inquired, and could not find it—as I was bringing him along I saw Jesse M'Pherson—she pointed to the curb, where I found this coat, close to the shop door.

JESSE M'PHERSON. I live with my father, in White Horse-street, Stepney. I keep a fruit-stall at the corner of Exmouth-street—on the 21st of October I was sitting at my stall opposite, and saw a man take a coat from a chair outside the prosecutor's shop—when I called to him he threw it down on the curb—I called, "Stop thief!"—I after that told Mr. Corner where it was, and he got it.

HENRY ATTWOOD, (*police-constable K 61.*) The prisoner was given into my custody, and charged with stealing this coat.

(*Property produced and sworn to.*)

GUILTY. Aged 20.—Confined Three Months.

2605. HARRIET GEORGIANA GATEHOUSE was indicted for stealing, on the 22nd of October, 49 yards of calico, value 14s., the property of Edward Boyle.

WILLIAM MAKEPEACE. I am in the employ of Edward Boyle, a linen-draper in Farringdon-street. From information I received, I went out in the evening of the 22nd of October to Plumtree-court, and followed the prisoner to Shoe-lane—I overtook her with this calico in her arms—it is Mr. Boyle's—I had not sold it—I saw it safe a few minutes before, hanging on the door-post—I did not see the prisoner in the shop—when I came to her it was partly on the ground.

Prisoner. Q. You did not see me take it? A. No—you said, "Keep quiet, I will not do anything of the sort again"—you had it in your possession at the time, and part of it hanging on the ground.

ARTHUR THOMAS KILBEY, (*City police-constable, No. 213.*) I took the prisoner, and have the calico—there is the price on it.

Prisoner's Defence. It was not taken from me—a person passed me with something, and this gentleman ran past me—he turned and said, "You have got my calico"—I turned and saw something on the ground.

GUILTY. Aged 28.—Confined Three Months.

OLD COURT.—*Monday, October 26th, 1840.**First Jury, before Mr. Recorder.*

2606. JEMIMA COATES was indicted for obtaining, by false pretences, 6 loaves of bread, the goods of Charles Cuthbertson; to which she pleaded

GUILTY.* Aged 13.—Transported for Seven Years—Penitentiary.

2607. JAMES HURLEY was indicted for stealing, on the 5th of October, 2 shillings, and three sixpences, the property of James Scott Ray, from the person of Elizabeth Ray.

ELIZABETH RAY. I am the wife of James Scott Ray, of the Dolphin public-house, Wapping. On the 5th of October, between eleven and twelve o'clock, I was coming over Old Gravel-lane bridge—there was a ship coming into the docks at the time, which delayed my crossing—I saw the prisoner near me, and moved from him several times—he followed me in a minute or so—the last time I moved, I went some distance from him—he came again, and I asked what he wanted so close to me, did he know me—he said, he did not want any thing of me—I said, “I think you are a young pickpocket,” and gave him a hard slap of the face, and told him to get farther from me, for I had got no pockets, nor yet holes for him to pick—on looking round, I found I had got a hole in the side of my gown—Mary Sergeant spoke to me, and said I had got a very large pocket hole—the seam of my gown was unpicked, it was not injured—a gentleman brought the prisoner back, and a policeman took him—I saw him searched, and two shillings and three sixpences were found on him—one of the sixpences, in particular, I had remarked in the morning—it was what I call a *dubious* one—I bit it, thinking it was a bad one—I could not tell to a shilling or two what I had in my pocket, but I had between 2*l.* and 3*l.*—I can swear to the sixpence—(*looking at it.*)

Cross-examined by MR. PAYNE. Q. Was it in consequence of Sergeant speaking to you that you discovered your gown was cut? A. Yes—the gentleman brought the prisoner back hardly a minute after—I think I missed about 7*s.* or 8*s.* altogether—3*s.* 6*d.* only was found on the prisoner.

MARY SERGEANT. I am the wife of Henry Law Sergeant, and live in Anchor and Hope-alley, Wapping. I was on Old Gravel-lane bridge, and saw the prisoner go up to the prosecutrix three or four times—she tried to get rid of him, but wherever she went he followed her—I pointed out to Mrs. Ray the hole that had been made in her gown.

WILLIAM GOLDWIN (*police-constable K 409.*) I received the prisoner into custody, and asked him what money he had about him—he said, 3*s.* 6*d.*—I was then about to search him, when he held it out in his hand—I asked him where he had got it from—he said he had been to borrow it in Cannon-street-road for his mother to go to market—the prosecutrix immediately said, “How can you say that? that is my sixpence, I swear,” pointing to one she called a *scrupulous* one—I asked him where he had borrowed the money—he said he did not know where, nor of whom—I did not find any knife on him, I found a key—at that time the bridge was open, and if he did it with a knife there was an opportunity of getting rid of it.

Cross-examined. Q. He was handed over to you by a gentleman? A.

By Mrs. Ray—a gentleman who stood there, who, I understood, had brought him to Mrs. Ray.

GUILTY.* Aged 15.—Transported for Ten Years.—*Recommended to the Penitentiary.*

2608. **JOSEPH GILCHRIST** and **THOMAS MILLER** were indicted for stealing, on the 15th of October, 1 gown, value 4s., the goods of Thomas Vesper.

GEORGE CORNER. I am assistant to Thomas Vesper, a pawnbroker, in the Commercial-road. On the evening of the 15th of October I was standing against our wall in Exmouth-street—I saw Gilchrist there with two others—one of them had a stick, and tried to take a gown off the tressel, but did not succeed in getting it, and went and talked to the other two—I then saw Gilchrist come and stand about the door—he afterwards returned, then came and took a dress away, and passed it to one of the others—the two ran away—Miller answers the description of the man that came up the street, but I had not an opportunity of seeing him distinctly—when I saw Gilchrist take the dress I walked directly after him, and collared him—he asked me what I wanted with him—I said that was an after job—he tried to knock me down—we both fell, and laid on the ground till we were picked up—I had hold of his collar—I was not more than three yards from him when he took the gown—I could not mistake him, and never took my eyes off him—he had got five or six yards from me before I seized him—I distinctly swear to him.

Gilchrist. I was about five yards from the tressel; I never touched the gown; he knocked me about, and said I must come with him; I went into the shop; they brought in Miller, and accused us of stealing the gown; he told the policeman he did not find the gown on me, and he said at the station-house it was left in the shop, and at the office he said one had given the gown to another. *Witness.* It is untrue; I did not go into the shop; I gave Gilchrist to our other assistant, and went over the road in the direction the girl ran who went after one of the others—I came up to Miller, who was saying, "There he goes;" the girl said he was the man; I caught hold of him, but he got away from me.

JESSY M'PHERSON. I live in White Horse-street, Stepney; I have a fruit-stall at the corner of Exmouth-street. On the evening of the 15th of October I was at my stall, and saw three men pass me—the two prisoners were two of them—I am sure of them—I saw them at the toll-bar—I heard an alarm of "Stop thief" given by George Corner—I saw him in a scuffle with Gilchrist—Miller at that time was coming towards the Commercial-road—I laid hold of him—he said, "There he goes, it is not me"—at that time there was no person in the street, at that spot, except the two prisoners, the third man in their company, and Corner—the two prisoners and the other stood together about ten minutes before the gown was taken—Miller got away from me—he was stopped in John-street—I am sure he is one of the three men.

Cross-examined by MR. PAYNE. Q. How far is your fruit-stall from the toll-bar? A. About twenty yards—it was getting darkish at the time this happened—I did not see any thing taken—after Corner called "Stop thief," I saw Miller walking along towards the Commercial-road—the others went down the street—Miller was walking along towards the Commercial-road when I first saw him—he was going down John-street,

which is a long street—the things are hung up at the side of Mr. Vesper's door—they can be taken without going into the shop—Miller stopped of his own accord.

Gilchrist. It was very dark at half-past six o'clock. *Witness.*—It was not so dark but what I could see—there was a lamp a little way off, and there is a gas-light at Mr. Vesper's house.

ANDREW BAXTER. I am a baker, and live with my mother in Lucas-place, nearly opposite Mr. Vesper's. I was sitting in the shop about half-past six o'clock on the 15th of October, and heard a cry of "Stop thief"—I ran out, and saw Miller standing by a post, about forty or fifty yards from Mr. Vesper's door, in sight of it, nearly opposite, the distance across the road—M^rPherson was standing before him—she said, "That is one"—I laid hold of him—he said, "I am not the one, there he goes"—I looked down the street, but saw no one.

Cross-examined. Q. How far was he standing from the toll-bar? A. About one hundred yards.

HENRY ATTWOOD (*police-constable K 61.*) The prisoners were given into my custody at Mr. Vesper's shop. When Gilchrist saw me he stood up and said, "Come up, policeman, and search me; I have got no gown about me"—I searched them both, but found no gown—I found a silk handkerchief on Miller—I asked if it had a mark—he said "No," but I found the letter J and a star at the corner—Miller said, "I am not the man, and all the people round say it was not me."

GILCHRIST*—GUILTY. Aged 19.—Transported for Seven Years.
MILLER—NOT GUILTY.

2609. SARAH DAWSON was indicted for stealing, on the 12th of October, 1 10l. Bank note, the property of David Gladding, her master, in his dwelling-house.

DAVID GLADDING. I live in James-place, Hoxton, and am a hearth-rug manufacturer. The prisoner was two months in my service—my wife gave her notice to quit—her time expired on Monday, the 12th of October, and that morning I missed a 10l. Bank of England note from my pocket-book in my coat pocket, which hung in my bed-room—I had seen it on Saturday night, about ten o'clock—I told the prisoner I had lost 10l. and asked if she knew any thing about it—she denied it—I afterwards went to Mr. Carmac, a neighbour, with the prisoner, and he said in her presence that he had given her change for a 10l. note in my name—she denied it positively—I gave her in charge.

Cross-examined by MR. JONES. Q. Had you a character with her? A. No, we did not apply for one—she had been out of place about six weeks, and lived previously at Kensington—I had put the note into my pocket-book at ten o'clock on Saturday evening, when I was in the warehouse—I did not look for it again until the Monday—I had no notes loose in the bed-room at any time—I got the number of the note from the bankers, but the clerk is not here.

THOMAS CARMAC. I keep the Ivy-house public-house, Hoxton, about sixty yards from the prosecutor's. The prisoner came on Monday, the 12th of October, about eleven o'clock, and asked for change for a 10l. note for Mr. Gladding—I wrote Mr. Gladding's name on it, and gave her ten sovereigns for it—(*note produced*)—this is it—she was brought to me in about a quarter of an hour, and denied having been to change one—I had

known her for two months as Mr. Gladding's servant—she came to the house two or three times a day.

HENRY LAMBERT (*police-constable N 2.*) I received charge of the prisoner—on the way to the station-house I told her what Carmac had said—she denied having changed the note—next day I was in the prosecutor's house, and in the coke-cellar, under a heap of dust, I found ten sovereigns wrapped in two pieces of paper.

GUILTY. Aged 19.—*Recommended to mercy.*—Confined
Twelve Months.

2610. JOHN WALTERS and HENRY REEVES were indicted for stealing, on the 16th of October, 1 necklace, value 5s., the goods of Edward Cox, from the person of Sarah Cox the younger.

SARAH COX. I am the wife of Edward Cox, a plumber and glazier, at Stoke Newington. On Friday, the 16th of October, I went to the street-door to take in some bread—my daughter Sarah, who is a year and a half old, followed me to the door and went down the step—I left her there for about two minutes, and then her necklace was gone off her neck—I saw no person near the door—I went down the street, and saw Walters walking away—Agar and Sugg fetched a policeman, who took Walters into custody—the necklace was three rows of coral, and was clasped securely round her neck.

GEORGE AGAR. I am thirteen years old, and live in High-street, Kingsland. On the 16th of October, as I was going into my school, opposite Mr. Cox's house, I saw the two prisoners coming up the lane—the child came a little way from the door to play with some more children—Reeves crossed over towards the children, and Walters went a little way farther, and stood still looking over towards the fields—he could not see what Reeves did—Reeves patted the little baby on the back, and pulled the snap of the necklace round to the back, he then unsnapped it and put his hand into his pocket with the necklace, he then went towards Walters, who was waiting for him, tapped him on the shoulder and said something to him, and they walked away together—I told the children what had happened, and a little girl cried out—Reeves then ran away as fast as he could, and Walters walked quite fast in the same direction—Mrs. Cox came out, and I told her.

Walters. Q. Did you see me come down the lane with Reeves? A. Yes—you were talking to him.

WILLIAM SUGG. I am eleven years old. I was at play with Agar before school-time, and saw the prisoners coming up the lane—they passed the school—Mrs. Cox went in-doors with the bread, and Reeves crossed over, stood a little while, and then tapped the little girl on the shoulder, put his hand into his pocket, pulled it out again, then pulled the beads round behind her neck, unsnapped them, took them off, and put them into his pocket—Walters went on to the end of the school, and stood still, looking over towards the fields—he was about thirty yards from Reeves—Reeves joined him, and tapped him on the shoulder, said something, and they walked away together—the little girl raised an alarm, then Reeves ran and Walters walked away quite fast.

WILLIAM HORSNELL (*police-constable G 172.*) On the night of the 16th I took Walters into custody—I went to No. 5, West-street, Field-lane, after locking him up, as he had given that address among other places, and I found Reeves there, and took him in charge with two females.

Walters. I did not tell him where I lived. *Witness.* He first told me he lived in Wentworth-street, Whitechapel, and afterwards said No. 5, West-street, Field-lane.

Walters. It was not me, it was a person who he had given some beer to. *Witness.* Walters told me that address—I know the prisoners both live in one room together, and each of them have a girl, one of which girls is now for trial in the other court—I found ten or a dozen bad girls in the house.

Reeve's Defence. I was not with Walters.

REEVES—GUILTY. Aged 19.

WALTERS—GUILTY. Aged 18. } Transported for Ten Years.

(There was another indictment against Walters.)

2611. SARAH ANDERSON was indicted for stealing, on the 14th of October, 1 watch, value 2*l.*; 1 purse, value 3*l.*; and 23 sovereigns; the property of Charles Andrew Pike, from his person: and MARY CRAMER, for feloniously receiving 1 sovereign, part of the same, well knowing it to have been stolen; against the Statute, &c.; to which Anderson pleaded

GUILTY. Aged 18.—Transported for Ten Years.—*Recommended to the Penitentiary for Eighteen Months.*

MR. PHILLIPS conducted the Prosecution.

CHARLES ANDREW PIKE. I am a solicitor. My birth-day was Wednesday, the 14th of October—I had taken liquor on Tuesday night, and was overcome, but it was more through fatigue and excitement during the day—the last thing I remember, was going to my wine-merchant to order some wine for a party, between seven and eight o'clock in the evening—next morning I found myself in bed in a brothel kept by the prisoner Cramer—I had the night before twenty-three sovereigns, to the best of my recollection—I am sure there was more than 20*l.*—in the morning my money and watch were both missing—I dressed, and went down stairs, and saw a female standing by the fire—Cramer came in shortly after—I asked her name—she said "Mary Cramer"—I asked her what place I was in, where it was, and what was the situation—I did not know the street I was in—I do not remember what she said—I said I should step out for a few minutes, and be back again—I did so, and returned with a policeman, and saw her still there—the policeman told her I had been robbed, and wanted to know what had become of my money and watch, and who the girl was who had brought me there—I believe she denied all knowledge of it—she said she did not know who the girl was—to the best of my belief, she was asked who the girl was that brought me there, but I was in a good deal of confusion at the time—the policeman knows what passed.

THOMAS CUMMINS. I am a policeman. I went with Mr. Pike to Cramer's house, saw her, and said, "What has become of this gentleman's watch and money?"—she said, "I do not know"—I said, "Do you know who the girl is, or where she lives that brought him here?"—she said, "I do not know, she is a stranger to me, I took no notice of her; she gave me 1*s.* and went to bed; I did not know she had left, till the gentleman came down in the morning"—Flannery, who was there, said, "You know the girl very well, she lived with you"—"Oh yes," she said, "I do, her name is Sarah, I know her grandmother, who lives somewhere near Rosemary-lane"—I went to Brunswick-street, and took Anderson—that was not from any thing Cramer said—Cramer and Anderson were not together in my

presence—I delivered them into the custody of Wigley, another officer.—I kept the prisoners apart, and never heard any conversation between them.

EDWARD WIGLEY. I am a policeman. I had the prisoners in custody—Anderson made a confession to me, by which I got fourteen sovereigns and a watch, from the yard adjoining the premises, No. 3, Brunswick-street, half a mile from Cramer's house—I took Cramer in custody to No. 2, Brunswick-street, and heard Anderson say, in Cramer's hearing, "It is no use my denying it, I have thrown it over the adjoining yard"—Cramer said, "You fool, you have *done* it now"—I was not present at any other conversation which Cramer heard—I found the money and watch in the adjoining yard—I never saw the prisoners together besides, except at the Magistrate's—Anderson said something to Cramer going to the office, but I could not distinctly hear it—I did not hear Anderson say any thing to Cramer about the robbery—I have told all she said when I found the money—I did not hear Anderson tell me any thing about the robbery in the presence of Cramer, no more than saying she had thrown the watch into the adjoining yard—I never represented that I was present at another conversation—I never told the prosecutor so.

THOMAS MAJOR. I am shopman to Mr. Appleton, a grocer, in Cable-street, St. George's. On Wednesday morning last, about seven o'clock, Cramer came to the shop, bought some goods, and gave me one sovereign—I gave her 19s. change.

MARY ANN NEWMAN. I am searcher at the station-house—I searched Cramer—I found 13s. 3d. and eight duplicates on her, for things pawned the previous evening for 2s.—I asked her how much money she had in the purse—she said 14s., which a young man had brought her home overnight—I told her there were but 13s.—she said, "Then I must have spent 1s.; do not give it up to the sergeant"—I said I must—she said that was too bad—Anderson made a statement to me, but Cramer was not present.

MARY FLANNARY. I live in Mill-yard. I saw Anderson go into Mrs. Cramer's house with the prosecutor, who was very tipsy—I was present in the morning, when Cramer was asked by the policeman if she knew the girl—she said she did not know her—I said, "Yes, you do know her, for she lived in your house only a month ago"—she said, "Yes, her name is Sarah, and I know her grandmother"—I was not present when the prisoners were together.

CRAMER—NOT GUILTY.

2612. JOSEPH HENRY WAKEMAN was indicted for stealing, on the 17th of October, 2 yards of woollen cloth, value 1*l.* 10s.; and 1 pair of trowsers, value 12s.; the goods of Thomas How, his master.

THOMAS HOW. I am a tailor, and live in Berwick-street, Soho. The prisoner was apprenticed to me on the 14th May. On Saturday, the 17th of October, in consequence of suspicion, I examined his bed-room, and found sundry bits of silk in his drawer, and between the bed and mattress two yards of superfine cloth—he was not in the room at the time—I found some trowsers, partly made, in his box—I know the cloth by a number on it, and it corresponds with the piece it was cut off—when he came in I said, "Joseph, I have found in your box a pair of trowsers"—he said, "Yes"—I said, "Where did you get them?"—he said, "My father gave them to me a week or two ago"—I said, "Well, I have found some cloth under your bed"—he said, "Yes, my father gave that to me a

week or two ago, for a coat and waistcoat"—I found some buttons and canvas afterwards—I gave him into custody after I had seen his father—he then cried and begged pardon, and said he would never do so any more.

Prisoner. The trowsers are my own; I know nothing about the cloth at all. *Witness.* He said his father gave it to him—he made his own bed—nobody goes into his room.

JOHN GISBORNE (*police-sergeant C 2.*) I took the prisoner into custody—he cried, and asked his master to forgive him—he afterwards said voluntarily, that the trowsers and cloth belonged to his master.

Prisoner. I said the coat-cloth belonged to my master.

(The prisoner received a good character.)

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Six Months.

2613. GEORGE WILLIAM WILSON was indicted for stealing, on the 12th of October, 4 saltcellars, value 4s. ; and 1 tumbler, value 1s. ; the goods of Abraham Davis, his master.

ROBERT M'NEAL. I am foreman to Abraham Davis, a glass and china-man, in High-street, St. Giles's. The prisoner was his errand-boy for about five weeks. On the 12th of October I watched him while I was shutting up the shop—he was going home, and I saw him about the shop—I went down High-street and watched him, and as I was coming out of a passage he ran up the street—I went to St. Giles's church, came back, and saw him come out of our passage—I said, "You villain, I have caught you now"—he said, "Robert, take them out of my pocket"—I took him back to the house, the constable was sent for, and four salts and a tumbler were found in his pocket—they were my master's property, which had been on the show-board—he had taken them out, and put them in a dust-hole in the passage, and then brought them away—I had missed them before he left—I had found them there, and let him go to it to fetch them—I believe it is his first offence.

WILLIAM BAKER (*police-constable E 108.*) I took the prisoner into custody, and found four saltcellars and a tumbler in his pocket.

GUILTY. Aged 16.—Confined Three Months.

2614. JAMES HIDE was indicted for stealing, on the 7th of October, 2½ pecks of oats, value 2s. 6d., the goods of Joseph Woodward.

JOSEPH WOODWARD. I am a corn-dealer, and live in Winchester-place, Gray's Inn-road. On the morning of the 7th of October I was passing from the stable-yard, by the side of my house, and saw the prisoner running away from the door—he was close to the step when I first saw him—he had a bag of oats on his shoulder—he ran round Manchester-street—I followed him right across the street, behind Zion-house, into a doorway—I went back, and afterwards saw him run again—I stopped him, and brought him back—he said he had bought three pecks of oats at my house—I gave him in charge, and measured the oats, there was 2½ pecks—I had such oats in the first bin from the shop-door—I called the woman down who attended to my shop—she said, in his presence, she had not sold any all the morning—he said he had paid a half-crown and sixpence for that—that is the price of three pecks.

Cross-examined by Mr. PAYNE. Q. Had he not two coats and some leggings over his shoulder? A. Not that I noticed—I will not swear that he has not laid out from 6s. to 7s. a week at my house for the last six months—I did not spill the oats when I measured them—I might be

spilt two or three grains, but not more—I measured them, I believe, in the constable's presence—the prisoner is a *cab-driver*, I believe—when I first asked him where he got them he did not give any answer, and pretended to be intoxicated—I thought he was so, but at the station-house he was quite sober—I have compared the oats with the bulk, and they correspond.

MARY BENTIN. I am in the prosecutor's service. Between nine and ten o'clock in the morning I was called down stairs into the shop, and saw the prisoner in custody—Mr. Woodward asked if I had taken any money of him that morning—I said I had not seen him that morning.

Cross-examined. Q. Had you ever seen him at the shop purchasing? A. Yes, he came almost every morning for several months for half a bushel—I had served one young woman about eight o'clock, that was the only customer—the shop was opened about seven—nobody but me serves—I was up stairs cleaning, and left master and a man in the shop—the man is not here.

SAMUEL SEABRIGHT (*police-constable E 68.*) I took the prisoner into custody, and found half-a-crown, sixpence, and 2d. on him.

Cross-examined. Q. Had he not more money at first about him? A. No, his sister went to the door of the station-house, and he gave her a great coat—he did not give her any money in my presence—he might without my seeing it.

(The prisoner received a good character.)

GUILTY. Aged 29.—*Strongly recommended to mercy.*—Confined One Month.

2615. SARAH BOYLE was indicted for stealing, on the 21st of October, 1 pair of shoes, value 3s., the goods of John Israel Foster.

THOMAS WITHERS (*police-constable N 211.*) On the 21st of October I saw the prisoner in the Lower-road, Islington, loitering about the prosecutor's shop, I saw her run away, stopped her and found these shoes under her shawl—there was another girl in her company—I had watched them for about five minutes.

SARAH FOSTER. I am the wife of John Israel Foster, who keeps a shoe-shop in Lower-street, Islington. These are our shoes—they were hung on the ledge of the window, which was open—the prisoner came into the shop to ask the price of a pair of shoes, and went in front as she came out, and took them.

GUILTY. Aged 16.—Confined Three Months.

2616. EDWARD ROGERS and GEORGE BAILEY were indicted for stealing, on the 16th of October, 1 bottle-jack, value 6s., the goods of Henry Major.

HENRY MAJOR. I am an ironmonger, and live in St. John-street, Clerkenwell. On the 16th of October I was in my shop—I went down stairs and returned in a minute, and saw both the prisoners in the middle of the shop—Bailey was leaning over a bench where there were four bottle-jacks, and before I had time to notice the other, Bailey ran out of the shop—I missed one bottle-jack off the bench—they were close together in the shop, and both ran out—when Rogers got down the step, he attempted to return, but I had then got up to him and collared him, and he threw a jack from him—I kept him in custody, and Bailey was brought back—I gave them both in charge—this is the jack.

Cross-examined by MR. PAYNE. Q. Who brought Bailey back?

young man named Reid, who is not here—I had never seen Bailey before.

WILLIAM KING. I am a policeman. I took the prisoners—Rogers said he had gone in there after a situation.

Rogers's Defence. I had not got into the shop before he knocked me down.

(Bailey received a good character.)

ROGERS—GUILTY. Aged 18.—Confined Three Months.

BAILEY—GUILTY. Aged 18.—Confined One Month.

2617. JEREMIAH MURPHY was indicted for stealing, on the 20th of October, 1 counterpane, value 4s. ; 3 table-cloths, value 5s. ; and 1 gown, value 5s. ; the goods of Johannah M'Carthy ; and 1 pail, value 6d. ; the goods of Edward Dear.

JOHANNAH M'CARTHY. I am a widow, and live in Charles-street Hatton-garden. On the afternoon of the 20th of October, I missed these articles, which were wet, and in two tubs—I had left the counterpane on a board at twenty minutes to one o'clock.

EDWARD DEAR. I lodge at the house. I lost a pail from the cellar which persons pass through to the wash-house.

ANN DEAR. I am a daughter of the last witness. About one o'clock on the 20th of October, I was looking out of the second-floor window, and saw the prisoner lift up the cellar flap and come out with the pail on his shoulder—he went towards Hatton-garden with it—I saw him plainly—I did not see his face—I know him by his appearance and dress.

THOMAS STONE. I am a policeman. I apprehended the prisoner in Gray's-inn-lane on the 21st of October.

NOAH STONE. I am a policeman. I found a pail in a back-yard at No. 134, Great Saffron-hill, with this counterpane in it.

JOHANNA DONOVAN. I am a widow, and lodge at No. 134, Great Saffron-hill ; the prisoner lodges in the next room to me. On Tuesday, the 20th of October, I saw the blue counterpane, three table-cloths, and a gown, &c. stairs in the prisoner's room—I saw him bring a pail up before that, but did not know what was in it—I afterwards saw his wife washing the things and he was in the room.

Prisoner. They were found in the back yard, not on my premises.

GUILTY. Aged .—*Recommended to mercy.*—Confined One Month.

2618. EDWARD HUGHES and JOHN HALE were indicted for stealing, on the 20th of October, 1 tea-kettle, value 1s. 6d., the goods of Edward Barnett and another.

PATRICK HOPE. I am shopman to Edward Barnett and his brother, at High Holborn. This is their tea-kettle.

RICHARD ELDRIDGE (*police-constable E 163.*) I saw the prisoners together on the evening of the 20th of October, about half-past six o'clock near the prosecutor's shop—I saw Hughes peeping into the shop several times—I watched them and saw Hughes try to take some tea-trays down from outside the window—they then passed, and he stooped and took the tea-kettle—he went a few steps with Hale, and then gave him the kettle—they parted and started off—I pursued and caught Hale, and took the kettle from him—he said he had never stolen anything before—when Hughes was taken he said he had picked it up in the road.

HUGHES—GUILTY. Aged 16. } *Recommended to mercy.*

HALE—GUILTY. Aged 14. } Confined Six Weeks.

2619. **FREDERICK WEAVER** was indicted for stealing, on the 21st of October, 1 bowl, value 2*d.*; 4 shillings, and 4 sixpences, the property of Joseph Newcombe.

SARAH BAKER. I am niece of Joseph Newcombe, who keeps the Nag's Head public-house, at Hounslow. On the 17th of October, about three o'clock, I saw the prisoner leave the house and turn down the Lion and Lamb yard—I had left the bar to go up stairs, leaving a key in the drawer, which had a bowl with 6*s.* or 7*s.* in it—on going back I found the drawer open, and the bowl and silver gone.

ANN BEALE. I am the wife of Moses Beale. On the 17th of October I saw the prisoner with another, at Hounslow—he stopped at my door, which is next to Newcomb's, and asked me for some bread, as he was distressed—he then went into Newcomb's, and came out directly with something in his left-hand, which he tried to conceal—he ran away as fast as he could down the Lion and Lamb yard—I saw him come out of the yard and run down the street without any thing in his hand—I gave an alarm.

WILLIAM STEVENS. My attention was drawn to the prisoner, who was walking very fast—I followed, and saw a gentleman's servant on horseback—I asked him to give information at the station-house for them to stop him, and I followed him—he was secured and taken to the station-house—I searched the Lion and Lamb yard, and found the bowl thrown over some palings into the next yard.

JOSEPH BAKER. I am a policeman. I took the prisoner into custody—I found on him 2*s.* 6*d.* in silver, and a halfpenny in copper—the bowl was produced, and as we went to the station-house he asked me what I thought he would get—I said, "Perhaps two or three months"—he said he should be glad if he got off with three months.

Prisoner. I said I should be glad if I got off with three months, though I was innocent. *Witness.* He said he was innocent—he said he was sure he did not take the bowl.

GUILTY. Aged 19.—Confined Three Months.

2620. **WILLIAM KINNER** was indicted for a misdemeanor; to which he pleaded

GUILTY. Aged 56.—To enter into his own recognizances to appear for Judgment.

2621. **JAMES LAMBERT** was indicted for assaulting Rosa Ann Combes, on the 9th of October, putting her in fear and danger of her life, and taking from her person, and against her will, 1 sovereign, 1 half sovereign, 3 half-crowns, 2 shillings, and 1 sixpence, the monies of Thomas Combes; and at the time of the said robbery feloniously beating and striking her.

ROSA ANN COMBES. I am the wife of Thomas Combes, and live at No. 27, Grove-street, Commercial-road. I had a quarrel with the prisoner's wife and a woman named Newman, and in consequence of some violence of which I complained, the case was tried at Hicks's Hall, on the 9th of October—it was settled, by leave of the Court, on the payment of 2*l.* to me—the prisoner went and got the 2*l.*—I was ordered to remain in court for my protection, as I was afraid to go out after what they said—I reached home about one o'clock in the day—the prisoner and his wife, and Mrs. Newman lived opposite to me—they came home in a hackney-coach—

the prisoner came over with his wife and three other women, who had been to the Court as witnesses, and knocked at my door—I opened it—he said, “I want my money”—I said, “What money?”—he said, “I want my money, you have been receiving blood-money in the Court, and I will have it”—I said, “I have not been receiving blood-money, it was for the breaking of my arm”—he said, if I would not give it him he would tear me in pieces—I said my arm had been broken, and I would keep it—he said he would have it, otherwise he would have my life, and he made a great disturbance round the door—I sent for the police to protect me, and when they came I showed them the money I had received—the prisoner did not strike me then—his wife struck me in the passage on the forehead, but nothing to speak of—he said, “Give it her—I am your bail, and I will forfeit your bail if you give her a d——d good *hiding*”—I then went out—the prisoner, his wife, and the three other women followed me, and said, “Are you going to give us the blood-money?”—I said, “I will not give it you—it is not blood-money”—he said, “Mind, you shall *retract* my money, and if not I will give you in charge for robbery”—he then gave me a blow in my mouth, and made it bleed—I was afraid, and put my hand into my pocket, and gave him the money—I then went home crying—I got a *cab*, and went back to Hicks’s Hall, and stated what had passed to the Chairman—it was five or ten minutes to four o’clock when I got there—he said he was very sorry, and told me to go to the Thames Police, and I should have a little recompense made—I asked him if he would be kind enough to give me a note—he said, if my word was doubted he would not only give me a note, but he would go himself, for he saw the money given to me—I went to the Thames Police at ten o’clock next morning—I was too ill to go that day—I believe the prisoner was in liquor at the time—I gave him the money after he had given me one blow—having been laid up some weeks with a broken arm, I was really afraid of being torn to pieces—the words he used to me are not fit for a woman to mention.

Cross-examined by Mr. BALLANTINE. Q. Have you resided in that neighbourhood long? A. Nearly two years—I was born and bred a Jewess, but was married in the Church of England fourteen or fifteen years ago, and I have always taken my oath as a Christian ever since—I always swear by the book with the cross on it—at the Thames Police they gave me the Old Testament, but the Magistrate said, “No—she was married in the Church of England, she shall swear on our book”—I have not had many occasions to swear—I never took a false oath—I have sworn against persons who have robbed me—I charged a person with stealing some beads off my child’s neck—I got them back again—the person was discharged—I charged a person with stealing my husband’s coat—he was discharged—I was the prosecutrix in the case—the man’s name was Charles—I forget his other name—I charged a woman named Ann Johnson, who washed for us, and ran away with the linen, but my mother would not persevere in it, and she was discharged—that is about a month or six weeks ago—my arm was broken at that time, and was in a sling—I sent for the police before I was struck in the mouth by the prisoner—there was a great crowd and a great noise and confusion before the house—two policemen came—the first one came up after the prisoner’s wife had struck me on the forehead—there was no policeman by at the time the prisoner struck me in the mouth, but I called one, who came while my mouth was bleeding—he said he could not take him without he saw the blow, and he

said, "You have not been robbed of the money—you gave it to him—you should not have given it to him—you must now go and get a warrant"—that policeman is not here—I do not know his name—when the prisoner got the money he showed it, and said, "This is all I want, now I have got it"—I do not know M'Kenzie, a Thames police-officer—I cannot tell the name of the officers I saw at the Thames Police—I recollect one officer, a thin man, asking me what charge I had to make, I told him, and he said, "Why it is a robbery—the money was yours"—I told him a woman had struck me, and stolen my hospital paper, and I wanted to have a warrant for her too—my hospital paper was taken from me that same day by one of the women who had been to Hicks's Hall as a witness—she said I had been receiving blood-money—I said it was not blood money, it was for the broken arm—she said, "Then if you are the injured woman, show your hospital paper"—I did so, and she tore it out of my hand, and said, "Now you can't have that to show any more," and I have not been in the hospital since—my arm was broken, and my hospital paper would prove it—I do not charge the prisoner with taking that—I told the officer that the prisoner had stolen my money and assaulted me—the officer I told was my uncle Blaby—I do not know that he is here.

Q. When you went to the Thames Police on Saturday morning, and were asked what charge you had to make, did you say a single word about the money being taken away from you by the prisoner? *A.* Yes—that is what I went for—I said so to the man who asked me what I came for—I was asked by a great many what I wanted—I am sure I mentioned that I had a charge to make against the prisoner.

MICHAEL DONAHUE (*police-constable H 152.*) I saw a mob in Grove-street, opposite where the prisoner and prosecutrix lives—I went up, and tried to disperse them—the prosecutrix showed me some money, and said, "This is the money I had given to me, through breaking my arm, and they are kicking up a row with me, because they want it back again"—there was two pieces of gold and some silver, but I did not observe how much—Ingle came up, and I went away.

Cross-examined. Q. Was she showing the money, and boasting of it? *A.* Not in my presence—she was not showing it to the persons about, and saying, "This is the money I got for my arm being broken"—she stood in her own doorway—no one was doing any thing to her then—there was a parcel of people at the other side of the street, scolding her—I did not see the prisoner.

CHARLES INGLE (*police-constable H 186.*) I relieved Donahue in Grove-street on the Friday—there were several people collected in the street—about ten minutes after I had relieved Donahue, I saw the prisoner come home to his house, he was walking—the prosecutrix was inside her house then—about half an hour after, I saw a cab come up to the prosecutrix's door, and saw her get in—it went round North-street, which is, I believe, the way to Hicks's Hall, but I do not exactly know the way—I was not close enough to her to see whether her mouth was bleeding—I had seen her half an hour before—she might have received a blow in the interval.

Cross-examined. Q. She did not speak to you at all the second time? *A.* No, she did when I first went up to relieve Donahue—her mouth was not bleeding then—I went round my beat after that, and lost sight of her for half an hour.

COURT. Q. Did it appear to you that the persons in the street were assaulting her? A. Why they seemed *flickering* about a great deal—there was a great noise from the women and neighbours round—I did not notice what they said, it was about the two sovereigns—they said she had had the man up unlawfully, and they should like the two sovereigns back again—there was a crowd of about twenty or thirty—they were not doing any thing, only standing about and talking to one another—I kept telling them to go away, and not kick up a disturbance there.

GEORGE PAVITT (*police-constable K 260.*) On the 10th of October I apprehended the prisoner at his house, about nine o'clock, or a little after—I told him I wanted him, for assaulting Mrs. Combes, and taking two sovereigns from her—he said he knew nothing at all about the two sovereigns—that he went across the road to get a woman out of the row, that was in the row—I had been told to apprehend him on Saturday afternoon by a sergeant who was on duty at the station-house.

Cross-examined. Q. Do you know the prosecutrix? A. Not before the 9th of October, when I saw her at Clerkenwell Sessions.

Witnesses for the Defence.

WILLIAM M'KENZIE. I am an officer at the Thames police-court—I have been there thirteen months, but have been an officer upwards of eleven years—I first knew the prosecutrix on the 30th of July, when she came to apply for a warrant about her broken arm. On the Saturday morning after the trial at Clerkenwell, she came to the office before office-hours—I was the first person she applied to—I was waiting at the office-door—I asked what she wanted—she said, "I want a warrant against five different people"—I asked what they had been doing—she said, a woman had struck her in the mouth and stolen her hospital-paper, and a man had got the money from her, by saying they would tear her to pieces if she did not give the money up—she said nothing about the man having struck her—she said a man had taken the money from her by threats—I was sent with Doug's, a policeman, to make inquiries about the prosecutrix—from what I know of her, and from what I have heard, I would not believe her on her oath—she bears a very bad character in the neighbourhood.

COURT. Q. What grounds have you for not believing her on her oath? A. On account of the character I have heard of her—I knew nothing of her before the 30th of July, when she came to apply for a warrant—she said that assault took place in Old Gravel-lane, and afterwards before the Magistrate she said it was in Pennington-street—Pennington-street runs into Old Gravel-lane, but it is in the H division.

Q. When examined on oath, has there been any fact that she deposed to which you, of your own knowledge, knew to be untrue? A. She stated before the Magistrate that the man struck her in the mouth, and she stated to me at the office that the woman struck her in the mouth—I was subpoenaed here—I and Douglas were directed by the Magistrate to make inquiries about the prosecutrix, as he said there was so much doubt about the case.

JOHN DOUGLAS (*police-constable K 279.*) I have been a constable seven years and six months. I am stationed at the Thames police-court—I have known the prosecutrix since her coming for a warrant, on the 30th of July—I should be very doubtful of what she said on oath.

COURT. Q. From what you have known of her, when examined

oath, have you any ground for saying so? *A.* I have—when she came for the warrant on the 30th of July, she gave her statement in such a wild manner, that M'Kenzie, who had the booking of the charge, said several times, "Take care what you are saying, you will have to state it on oath," and she stated then, in an indistinct manner, that it happened in two different places, one of which would bring the offence in the Lambeth-street district, where I know she is known, and the other would bring it in the Thames police district—by her statement at the Thames police, she brought it within that district—I cannot say that she knew the limit of the district—when she was sworn at the Thames police-office, it was on the Old Testament, as of the Jewish persuasion, they tendered her the New Testament—she said she was not of that persuasion—and then she took it on the Old Testament—that was the day the prisoner was committed—it was in consequence of the cross-examination of Mr. Pelham, the solicitor, who attended for the case, that she said so—I am quite sure she did not change from the Old Testament to the New—she said she thought she should be justified in swearing on the New Testament, because she had married a Christian.

JAMES RICHARDS. I am a coffee-roaster, and live in Grove-street, Commercial-road. I have known the prisoner for the last twelve months—he has always borne a good character, as far as I heard—I went with him on the 9th of this month to Clerkenwell Sessions-house—the case was settled, and I saw him with the money in his hand—I did not see it paid—after it was settled we came out, and went to a public-house, and sent six women and two children home in a hackney coach—the prisoner, I, and another man walked home together—we got home about three o'clock—when we got down the street there was a great piece of work—I was with him all the afternoon, and till nine o'clock at night—we afterwards went out from his house to Berners-street, to see for a room where he now lives—there was a woman engaged in the row who the prisoner knew—he crossed the road to pull her away to save any more disturbance—he did not take any part in the affray—he did not strike or offer to strike any blow.

COURT. *Q.* What time did you go to Clerkenwell? *A.* At ten o'clock in the morning—we left about half-past one o'clock—we remained at the public-house about half an hour—we then went to another public-house at the corner of Fore-street, and had a pot of beer—we then went straight home, and got there about three o'clock.

MR. BALLANTINE. *Q.* Did you hear the Magistrate desire Mrs. Combes to remain in Court? *A.* No, I was not in the Court—the prisoner went to a friend of his to borrow part of the money, and it was when he was going in to pay it that I saw it—he counted it—there was a sovereign, half-sovereign, three half-crowns, and 2s. 6d., I believe—I understood he was to pay 1*l.* a-piece for the females—I saw no flag with the hackney coach—we did not arrive at home at the time the women did—I did not lodge at his house.

COURT. *Q.* Was the prisoner sober? *A.* Yes—we were inside his house nearly twenty minutes before he went across the road to fetch the woman—the disturbance was going on all that time in the street—there were as many as thirty persons—I saw one officer there—it was Ingle—I did not hear of the prosecutrix having lost her money till Sunday morning—I was not with the prisoner on Saturday—I parted with him about nine

o'clock on Friday night—he was then in his own house going to bed—I did not see him again till Monday, at the Thames police-office—the prisoner's wife's sister, Mr. and Mrs. Newman, and a young man named Scott, an engineer, were at the prisoner's on Friday—none of them are here—I saw the *cab* go away from the prosecutrix's—I heard she had gone to Clerkenwell to take a warrant out against the women, and I saw the *cab* come back again—two women took the *cab*, and rode up and down the street—they were at it quite late in the evening—the boys were running about with little bits of bonfire, hooting and hallooing about the place—the prisoner was not out of my company from three to nine o'clock.

ANN BONSEY. I am a widow, and live in Upper Grove-street. On Friday afternoon, the 9th of this month, about a quarter before three o'clock, I heard a noise in the street—I went down, and saw Mrs. Combes at her door—she beckoned me into her house, and I went—she stood in the door-way—I asked her if the business was settled—she said, “Yes,” and she had received 4*l.*, three sovereigns, a half-sovereign, three half-crowns, and 2*s.* 6*d.*—I remained with her about ten minutes—nothing occurred to her during that time—I asked how long she had been home—she said, Some time—that she had some pork-chops, and a little gin, and some porter with a woman who was sitting in the room—she said she had shown the people favours, and see how she was served for it—I suppose she meant by showing favours, settling the matter—she said she would have a *cab*, and go to the Magistrate, who sat till six o'clock—her mouth was not bleeding at all then—she said nothing about the prisoner—she did not tell me what she was going to the Magistrate for—on the Monday following she came to my house with a policeman, and said, “I want you to go to-day with me, and say you saw me give the man the money”—I told her I could not say what I knew nothing about—the policeman said, “We can do without you”—I said, “I hope you will, for I know nothing of the business, or any thing of the parties”—she then put her hand up to the policeman, and said, “There is a little boy fourteen years old that I sent the jacket round with, and he will do”—that was all that passed.

COURT. Q. When did you first become acquainted with Mrs. Combes?
A. I only know her by going to inquire after apartments at her house once, nothing more—I do not know Mrs. Newman, and never knew the prisoner before last Monday—he wished me to come here to-day—I think I mentioned to a Mrs. Govey, who lives in the same street, about the prosecutrix and the officer calling on me—I do not know what officer it was—I did not take his number, or notice him.

GEORGE PAVITT *re-examined.* I went with Mrs. Combes on Monday morning to this woman to inquire whether I could get any proof as to the prisoner's being seen in the disturbance—I asked this woman if she knew any thing about it—she said she saw a mob of people there; that she went over to Mrs. Combes, returned, and saw no more than a mob of people—she said she saw the prisoner, his wife, and other women in the street there, but did not see the money—I asked why she did not come down to the Thames police—she said she could not—there was a little boy who lived in the house, but the Magistrate did not think him old enough to be a witness, and would not take his evidence.

ANN BONSEY *re-examined.* I did not tell Pavitt that I had seen the prisoner with the women in the street, nor any thing of the kind—I never saw such a thing, and never said it—that officer was never in my house—I never saw his face—he does not know me.

GEORGE PAVITT *re-examined*. I am quite sure of her, and am certain she said she saw the prisoner and the women in the street.

MR. BALLANTINE. Q. Had Mrs. Combes told you this woman saw the money taken? A. No—she said, “There is a woman up here who was there at the time of the *row*; if you will come with me I will show you the house,” and I went, as I wanted to get all the evidence I could—I asked her if she had seen any thing of the *row* on Friday night, if she had seen Mr. Lambert there—she said yes—I did not ask her at what particular time she saw him—I will swear I mentioned the prisoner’s name.

(The prisoner received a good character.)

GUILTY of an Assault only. Aged 37.—Confined Three Months.

NEW COURT.—*Monday, October 26th, 1840.*

Fifth Jury, before Mr. Common Sergeant.

2622. HANNAH CRUMMIE was indicted for stealing, on the 21st of October, 1 watch, value 7*l.*, the goods of James Cave; to which she pleaded

GUILTY.—Confined One Year.

2623. RICHARD GURDEN was indicted for stealing, on the 12th of October, 2 guns, value 35*l.*; 2 gun-cases, value 10*s.*; and 2 powder-flasks, value 5*s.*; the goods of Joseph Lang; to which he pleaded

GUILTY.* Aged 19.—Transported for Seven Years.

2624. JOHN DUNN was indicted for stealing, on the 21st of October, 1 knife, value 1*s.*, the goods of Thomas Reeves; to which he pleaded

GUILTY.—Confined One Month.

2625. JOHN SMITH was indicted for stealing, on the 22nd of October, 1 pewter pot, value 10*d.*, the goods of Henry Bryan; to which he pleaded

GUILTY.—Confined Nine Months.

2626. ROBERT WEST and WILLIAM TITLEY COPE were indicted for stealing, on the 1st of October, 1 truss of hay, value 2*s.* 9*d.*, the goods of William Griggs, the master of West.

WILLIAM GRIGGS. West was in my service as ostler; Cope lives next door but one, and keeps a horse and cart. On the 1st of October I did not authorize West to sell any of my hay or any other thing; he was not justified in doing so—I might have obliged a neighbour with a truss of hay—I have been asked by West whether he might, but that is months or a year ago—if any body came for a truss he should speak to me previously—Mears, the officer, arrived with a truss—my wife called me out of my parlour—there was I, West, Cope, and the officer together—West spoke first—he said, “Sir, I have just sold a truss of hay, and have got 3*s.* for it in my pocket”—I said, “What business could you have to sell a truss of hay?”—he said, “It is to a neighbour; he has paid me the full value”—I said to him, “You know, Robert, it is not long ago since I charged you on no account to borrow, or lend, or sell hay; how durst you do such a thing?”—the officer said Cope had told him he gave 2*s.* 8*d.* for it

—I answered, "Why, Robert, you told me you received 3s. for it"—West then said to Cope, "You know you gave me 3s. for it"—Cope said, "Yes, I gave you 3s., but you was to give me 4d."—I should say the truss is worth about 2s. 8d.—I gave 5l. for the load of thirty-six trusses—I gave both the prisoners in charge.

Cross-examined by MR. PHILLIPS. Q. Did he never sell before without asking your leave? A. I will not say that he has not sold a truss or trusses, but not without asking my consent—he never paid me for any—I will swear that West did not sell a truss of hay to Mr. Lynch which was paid for in my presence—if he sold a truss to him he did wrong—I cannot swear he did not do it—he never paid me—Lynch never paid me for any hay, to the best of my recollection—on one occasion Lynch came to ask me for a truss of hay to pack his goods in—I swear that Lynch did not pay me for a truss that West sold him—these men have been bailed on this charge, and have surrendered—it was West's duty to come at half-past ten o'clock every night to settle his book, and give an account of what horses he had in his stable, and what baits he had in the day—he had no authority to sell—he sold nothing but feeding gentlemen's horses in the stable—he had nothing to sell—I have not got the book here to-day—it was about a quarter to ten o'clock when I had the prisoners taken, three quarters of an hour before West would have settled with me—I have had no quarrel with him—he once refused to take some wine to a gentleman till he had dined, and I took it myself—I told him I should never forget it—I never said I would be a thorn in his side—I never thought of such a thing—we had no words.

Cross-examined by MR. CLARKSON. Q. How many times were you before the Magistrate? A. Twice, on the Friday and Monday—I did not ask the Magistrate to discharge the prisoners—I wished him to give them a summary punishment—I said I had a great regard for my own servant, and was unwilling that he should be brought here—I have a billiard-room in my house—I happened to be in there when West came—the first communication that was made to me was by my wife—I came out, and West told me he had sold this hay to Cope.

WILLIAM MEARS (*police-constable N 162.*) On the 1st of October, at a quarter before ten o'clock at night, I was passing the Tyson Arms public-house, and saw Cope coming from the premises with a truss of hay on his back—he had come a few yards from the stable-door—I suspected it was not right, and watched them for a moment or two—West was at the stable-door watching—Cope turned round at different times for the purpose of watching me—I then went to the prosecutor's bar to know if it was right—after that I pursued Cope, and asked him how he came by the hay—he said he purchased it of the ostler for 2s. 8d., and afterwards said he had not given any thing for it—before we arrived I asked him whether he kept a horse and cart—he said, "Yes"—West was at the bar when I arrived with Cope—West said he had received 3s.—Cope answered, "Yes, but I was to receive 4d. out"—I searched West and found 4d. on him—he had not 3s.

Cross-examined by MR. PHILLIPS. Q. You have been examined about this before? A. Yes, before the Magistrate—what I said was taken down and read over—I signed it—I mentioned that they were watching me—I cannot say whether it was put down—I named it—I might not have observed that there was not one word about Cope's turning round and looking at me—I cannot recollect whether I said that West said he had got 3s. for it.

Cross-examined by MR. CLARKSON. Q. Where does Cope live? A. At the back of the Tyson Arms—I should say that the corn-chandlers were not all shut up before that time—I cannot tell the name of any one in the neighbourhood.

NOT GUILTY.

2627. JOHN YATES was indicted for embezzlement.

MR. BALIANTINE conducted the Prosecution.

ALFRED WILLIAM OTTER. I am an attorney, in partnership with Mr. Henry Maltby—we live in Old Broad-street—the prisoner was our clerk, and had been so about four months. On the 17th of October I delivered him a cheque for 200*l.*—I told him to take it to Bosanquet's to get eight 5*l.* notes, ten 10*l.* notes, and I think 60*l.* in gold—this is the cheque I drew—(looking at it)—he did not return—I never saw him till the Friday morning following, when he was in custody—it was his duty to return and bring the change.

JOHN FRYER. I am a cashier at Messrs. Bosanquet's, bankers, in Lombard-street. I received this cheque of the prisoner on the 17th of October—I had seen him before several times, and knew him—he asked me for 198 sovereigns, two half-sovereigns, and 1*l.* in silver—I saw there was put down on the back of the cheque “some 10*l.* and 5*l.* notes”—I asked him why he wanted it in gold—he said Mr. Otter wanted to pay sums under 5*l.*—I paid him in gold as he requested.

JOHN STOWELL. I am constable of the Southampton railway. I received charge of the prisoner on Friday evening last, October the 23rd, about twelve o'clock, in the waiting-room at the railway. I found on him ninety-seven sovereigns in this bag, and three sovereigns and some other money, this gold watch, a brace of pistols loaded, his old coat, waistcoat, and trousers, and a variety of new wearing apparel in this carpet bag—he had come up by the last train from Southampton.

GUILTY. Aged 21.—Transported for Seven Years.

2628. JOHN BOWEN and JOHN O'DONNELL were indicted for stealing, on the 22nd of October, 1 kettle, value 6*s.*, the goods of Francis Harrison.

HENRY GRAY. I am in the service of Mr. Francis Harrison, who lives in St Pancras. I saw this kettle safe on Thursday last, the 22nd of October—I am sure it is my master's—I know it by a mark inside.

JOHN EATON (*police-constable S 193.*) At a quarter to five o'clock last Thursday afternoon I met the prisoners in Gower-street—O'Donnell had the kettle and gave it to Bowen—they went to Holborn—O'Donnell waited outside a pawnbroker's while Bowen went in with it—I took O'Donnell, and went inside and saw Bowen—I asked him about the kettle—he said, “What kettle? I have had no kettle.”

BOWEN—GUILTY. Aged 18.—Confined Three Months.

O'DONNELL*—GUILTY. Aged 16.—Transported for Seven Years.

2629. WILLIAM RIDLEY was indicted for stealing, on the 18th of October, 1 handkerchief, value 5*s.*, the goods of Thomas Ham, clerk, from his person.

REV. THOMAS HAM. About nine o'clock on the 18th of October, I was going through Spitalfields—a person cried out “Stop”—I put my hand in my pocket and missed my handkerchief—I am sure I had it three-quarters of an hour before—the policeman came up and produced it—it is mine—it has my name in full on it—(looking at it.)

JOSEPH MOSS. I am in the employ of Richard Bludderwick, of Bishopsgate-street. I was in Spitalfields about nine o'clock that evening—I saw the prosecutor and a friend walking—the prisoner and his companions went up to the two gentlemen—the prisoner took a handkerchief out of the prosecutor's pocket and put it into his own—I slightly touched the prisoner's arm—he ran away—we pursued him up Duke-street, and he was taken in Steward-street—the handkerchief he took appeared like a white one—I was on the opposite side of the way—I am sure the prosecutor is the person who lost it, and the prisoner took it.

HARRIETT COLE. I picked up this handkerchief in a doorway—a mob had run in that direction.

GEORGE BELL (*police-constable H 121.*) I caught the prisoner running in a direction from where Harriet Cole was—he said he knew nothing about it.

Prisoner's Defence. I was going home, and the officer came in front of me—I stopped, and in about three minutes some persons came up and gave me in charge.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy by the Jury.*—Confined Three Months.

2630. **MARY ANN HAWES** was indicted for stealing, on the 21st of October, 1lb. weight of bacon, value 7d., the goods of Susannah Apted.

JANE ELIZABETH APTE. I am the daughter of Susannah Apted. She keeps a provision shop in Middle-row—on the evening of the 21st of October, I saw the prisoner come and take a piece from the window—she walked about three yards—I went and took her—she let it drop—this is it—(*looking at it*)—it is my mother's.

Prisoner. It was lying on the floor—you came out to ask if I had a piece—I said, "No"—it was on the edge of the board—I had not got it.

Witness. You came inside, and asked me the price of a piece of bacon, you then took this, you secreted it under your shawl, and walked about three yards with it.

GUILTY. Aged 15.—Confined Nine Months.

2631. **JOHN TAYLOR** was indicted for stealing, on the 19th of October, three pairs of reins, value 5s., the property of William Sharp.

MARY SHARP. I am the wife of William Sharp; we live in Westminster. Between three and four o'clock in the afternoon of the 19th of October, I saw the prisoner take the reins from the bolt of my window-shutter—I opened the door, and followed him about a hundred yards—when I came up to him, I said, "What do you do with my property?"—he said, "Your property?"—I said, "Yes," and I took these reins off his arm—he went a short distance—my husband came and gave him into custody.

Prisoner. They laid on the curb under the front of the house. *Witness.* No; you took them off the bolt of the window shutter.

WILLIAM CLIFTON (*police-constable B 50.*) I was called, and took the prisoner, who was running.

GUILTY. Aged 53.—Confined Three Months.

2632. **HENRY SMITH** was indicted for stealing, on the 17th of October, 3 printed books, value 4s. 6d., the property of John Taylor.

GEORGE FREDERICK NASH. I am shopman to Mr. John Taylor, a bookseller, in Chiswell-street. About a quarter to five o'clock on the 17th of October, Hopkins brought the prisoner and these three books to our shop—I looked, and missed seven books, which I had seen safe about five minutes before—these are my master's.

CHARLES HOPKINS. I live in Mile End-road. I was passing Chiswell-street on the 17th of October—I saw a young man running after the prisoner—he caught him, and asked me to hold him, as he was struggling so—I took him—the young man told me where the prisoner took the books from, and went part of the way with me, and then left—I took the prisoner to the prosecutor's shop, and found these books in his jacket.

Prisoner's Defence. I picked them up, put them under my jacket, and was going home with them.

GUILTY.* Aged 16.—Confined Six Months.

2633. WILLIAM LANE, ALFRED IVEY, and RICHARD SIMCOE were indicted for stealing, on the 26th of September, two handkerchiefs, value 3s.; 1 purse, value 6d., one key, value 6d.; one bag, value 1s.; 15 sovereigns, 1 half-sovereign, 1 shilling, and 1 sixpence, the property of Richard Harris Floyd Pitt, in the dwelling-house of Richard Harris Floyd Pitt and others.

MR. ROBINSON conducted the Prosecution.

ANN PITT. I am the wife of Richard Harris Floyd Pitt, and live in Great Smith-street, in the parish of St. John, Westminster. At a quarter to eleven o'clock in the morning, on the 26th of September, I was in the shop—I put my bag on the counter in the shop, while I went to speak to Mr. Smith in the adjoining sitting room—there was a purse in my bag, containing ten sovereigns, a small key, a shilling, also five sovereigns, a half-sovereign, and a sixpence, wrapped in paper, separate from the other—two pocket-handkerchiefs, three letters, and a memorandum book were also in the bag—I returned in three or four minutes, and the bag was missing—one handkerchief has been found—this is it—(*looking at it*)—I know it, because I hemmed it myself—as I was going into the shop—I saw Lane very near the shop, and Ivey two or three hundred yards from the door—this was not ten minutes from that time till I missed my bag—they might have come into the shop—Lane looked as though he was looking at my bag.

Cross-examined by MR. CLARKSON. Q. Allow me to see the handkerchief? A. This is it—there is no mark on it—it was marked exactly where I mark mine—I generally mark mine low down—there was a small piece of the mark left in it when it was first at Queen-square, but that has been lost—I know it by this rough edge where the lace was, and this hole, which corresponds with the place where I generally mark my handkerchiefs, and the quality of the lawn—I have one off the same piece here—nothing else has been found—this other handkerchief was made at the same time, and marked 12, and this one was No. 11—we only rent the shop and sitting-room in Smith-street—the other parts are let to different people—we take it by the quarter—Mr. Williams, the pawnbroker, is the landlord.

Cross-examined by MR. BALLANTINE. Q. Is your husband here? A. No—I knew nothing of Lane before—I recognised Lane at Queen-square—he was standing in the place where they put prisoners—it was about a quarter to eleven o'clock when I went out of the shop, and left the bag—I am certain it was before eleven—I came into the shop again in a few minutes, and missed my bag.

COURT. Q. You say it was a quarter to eleven o'clock when you arrived at the shop, and a quarter before eleven when you missed your bag? A. I had no watch—when my husband went to the station-house to give notice, it wanted ten minutes to eleven by their clock, and that was a minute or two after.

JOSEPH DAVIES LEATHART. I am a house decorator, and live in Bath-place, Bayswater. I was in Oxford-street on the 26th of September, about four o'clock in the afternoon—I saw these three prisoners together—they went from Oxford-street to Regent-street, down a short distance to Argyle-street—there was another person met them in Oxford-street—they all four stopped—I watched them some time—Simcoe and Ivey put their hands into their pockets and seemed to offer Davies something—(I had seen them about nine in the morning)—my suppositions were that they pulled out some money, but I could not see—the other party left them—the three prisoners remained—I followed them through one or two streets—through Golden-square to the Haymarket, and there they took a cab—I pursued and stopped it at Whitehall—I called a policeman to my assistance—I ran to the left-hand door and opened it, and as I was getting in Simcoe put his hand to the right-hand side window—I took this white handkerchief from him—we drove to Gardener's-lane—we there found six sovereigns on Lane, tied up in the corner of his handkerchief, in his coat—on Simcoe 22s., and on Ives five sovereigns, one half-sovereign, 1s. 6d., a new hat, and a new silk handkerchief—all the time we were at the station-house, Simcoe begged of me a dozen times to give him this handkerchief—I said I would not—I know all the prisoners.

Cross-examined by MR. CLARKSON. Q. Have they worked for you as house-decorators? A. No, in a different line—I have no shop—I have a house I belong to in Oxford-street—my private residence is at Bayswater—I follow no other business, I have 70*l.* a year coming in besides my business—I work for Tupper and Collins—I have been there seventeen years—I was not engaged at any thing at that time, or I would not have followed them—I was taking a walk—I am at work for my employers now at Lord Radnor's—I have preferred a bill before another Grand Jury—I never swore, when they threw out a bill, that I was an *amateur* in the case of Rice—he was transported for seven years on that charge—he had been convicted before—I had not known him before he came before the Judge—I prosecuted Ryland, who was with Rice, but the Grand Jury threw out the bill—he had no property on him—Rice had the property—I swore to him as being a companion—I may have been in twenty cases when I was a constable.

Cross-examined by MR. PAYNE. Q. Upon your oath, how many times have you been a witness? A. I cannot tell—I will swear it was not fifty—it might be forty—I was constable of Hanwell many years—I have been in my employer's service all the time I was giving this evidence.

LAURENCE ANDERSON (*police-constable D 35.*) I was at the corner of York-street, from ten to half-past ten o'clock that morning—I saw the prisoners Lane and Simcoe with two others, one of whom I believe to be Ivey standing together at the corner of Tothill-street, in the Broadway, three or four minutes' walk from the prosecutor's—I knew them all three.

Cross-examined by MR. CLARKSON. Q. Did you also know Leathart? A. Yes, I have known him by seeing him in Oxford-street, and at different police-offices—he has brought prisoners two or three times during the time

that I have been in the police—I never drank with him—I have seen him drinking with policemen, not repeatedly, not more than three times—I have not seen him at the offices more than three times—I have known him four months—I went to Tothill-street before I had a communication with Leathart—I was quite on another business.

Cross-examined by MR. PAYNE. Q. Your beat is Marylebone? A. Yes, I was at the office on business—I was examined the second time—Leathart was there the first day—the depositions were taken the second day.

Cross-examined by MR. BALLANTINE. Q. Did you go to to this place by information of Leathart? A. No, I saw Leathart first after that on Saturday evening, about nine o'clock, and it was Saturday morning that I was in Tothill-street—I had conversation with him at the station-house—he told me he saw Lane.

CHARLES WALKER (*police-constable A 78.*) On Saturday afternoon, the 26th of September, I was on duty at Charing-cross, about a quarter-past four o'clock—Leathart came and spoke to me about the parties being in the cab—he ran and stopped it in Whitehall-place—he went on the left-hand side, I went on the right—Simcoe had a white handkerchief, and attempted to throw it outside—I got on the box, went to the station-house, and searched them—I produce the handkerchief—Simcoe said a girl named Eliza gave it to him.

ROBERT TIDBURY. I am a hatter in Long-acre. On Saturday, the 26th of September, between one and two o'clock, I sold this hat (*looking at it*) to Ivey for 6s. 6d.—he gave me a sovereign or a half-sovereign—I gave him change—the prisoners were all three together in the shop.

RICHARD STONE. I am one of the turnkeys of Tothill-street Bridewell—the prisoners have been in my custody since the 29th of September.

ANN PITT *re-examined.* There might have been another person or more near the place, and I not notice it.

MR. BALLANTINE *called the following Witnesses:—*

JOHN RAYMOND. I am servant to Mr. Allison, a publican, in South Molton-street, which is a mile and a half from Smith-street, Westminster; I know Lane. On Saturday, the 26th of September, between ten and eleven o'clock in the morning, he came to the bar, about half-past ten—it was before eleven—he asked for a pint of porter—he only continued there half a minute—I saw him about five minutes after—he lives directly opposite in South Molton-court—I know his person well—I passed his mother's in about five minutes after I served him with beer, and he was engaged in putting out some bottles—I did not see him again—he had no coat or waistcoat on—he was quite alone—I attended the Police Court to give evidence, and was not heard—I heard from a person who came to the house that he was charged with robbery—I saw him at half-past ten—I am barman and cellarman, and general servant—I have been there two years and a half—I never had any charge against me—I have not the least interest in the boy—he is a perfect stranger.

MR. ROBINSON. Q. How do you know the time, is there a clock in the place? A. Yes—we serve a very large shop in George-street, Hanover-square—I have to be there every morning at a quarter before eleven o'clock—I have known Lane ever since I have been there—two years and a half—before that I was in a situation at Uxbridge—I was there six months—I believe Lane has lived with his mother ever since—I have known her two years and a half.

COURT. Q. Then you mean to swear he has been residing with his mother two years and a half? A. Yes—I have been constantly in the habit of seeing him—I recollect the time, because I have to go to this large house at a quarter to eleven o'clock, and on that morning, when I came up, Mr. Allison said, "You are five minutes behind"—I went down, and put my coat on five minutes after, I saw Lane—it wanted but five minutes to eleven o'clock when I got there with my beer, and I ought to have been there at a quarter before eleven o'clock—I was there at a quarter before eleven the day before—I know that, because I go there every day a quarter before eleven—I saw the prisoner the day before at his mother's door, taking some things in, at half-past six o'clock in the evening—I perfectly recollect the 26th, because I heard in the evening that he was taken up—I heard it from some customer as I was serving in the bar—I cannot tell how they came to know it—I immediately said I felt astonished, because I saw him there at half-past ten o'clock, and drew him a pint of beer—I do not know how I came to think that half-past ten was of importance—I did not know any thing about the robbery—I heard he was in custody—I said, "For what?"

MARIA BURROWS. I am a poor woman. My husband is a labouring-man—we live in Grosvenor-market, which is perhaps 200 yards from South Molton-street. On the 26th of September I saw Lane at a quarter or ten minutes to eleven o'clock—I am certain it was before eleven—I saw him at his mother's door—he was employed outside her shop, doing something—I do not know what—I know the time, because I took a few rags to Mrs. Lane's, and I went from there to the bacon-shop at the corner of South Molton-street, and the Court-house clock was striking eleven—I know Lane's person perfectly, and am certain it was him I saw.

MR. ROBINSON. Q. What makes you know it was eleven that struck? A. It was half-past ten when I left home—I have a clock, which I keep by St. George's Church, on account of my child going to school—to take in washing, and go out to work—I have lived there since Mr. last.

COURT. Q. What makes you remember this day? A. It being Saturday, and I saw it in the "Dispatch" paper the Sunday week following—I was not aware that it was him—I saw his sister in the week following, and I said, I saw a case so and so, in the paper, but being at that time in the morning, I said it could not be him—I had had no communication with Mrs. Lane before that—I could not exactly tell what Lane was doing when I saw him—I think he was sorting rags, or something.

MR. BALLANTINE. Q. Did you also attend before the Magistrate? A. Yes, on every occasion—the police were aware of it—Lane's mother was very ill—she was in bed when I came away, and unable to move.

MARY OGDEN. I am Lane's sister—I am married, and live in Grosvenor-market. On the 26th of September I was at my mother's—Lane did not leave her house till between ten and eleven o'clock—it was a little before eleven when he went.

COURT. Q. How do you come to recollect this? A. Because it was very near our lunch time—we generally have lunch about eleven o'clock, and the beer was brought—I was cleaning—I do not know who fetched the beer—Mrs. Burrows came in—I do not know whether she partook of any of the beer—my mother set the luncheon out in the parlour—my brother

was in his shirt-sleeves—I cannot tell what he was doing—he was there when Burrows arrived—he had been in the shop all the time from seven o'clock in the morning, till eleven—I do not think he lunched with us that day—he left very near eleven I am certain, and I saw no more of him till I heard he was in the station-house.

LANE*—GUILTY. Aged 19.

IVEY—GUILTY. Aged 17.

SIMCOE*—GUILTY. Aged 19.

} Of Larceny only.—Transported for
Seven Years.

2634. VALENTINE BROWN was indicted for stealing, on the 3rd of August, 2 pieces of foreign gold coin called doubloons, value 6*l.* 12*s.*; and 2 dollars, value 8*s.*; the monies of Walter Maker.

WALTER MAKER. I am mate of the ship *Rawlings*, lately arrived from Jamaica, in the West India docks. The prisoner was steward's boy—I was taken ill, and delivered my watch and money to the captain—he returned me my watch and money except two doubloons—I sailed on the 1st of August, and the doubloons were in my chest then in my berth—I found them gone on the 3rd of August—I was then at sea—I have found where they have been changed—they were worth 3*l.* 6*s.* each.

Prisoner. On the way home you hurt your head, and was out of your mind—you was going to throw them among the bread, and I caught them. Witness. I was deranged for three or four days, but the money was missing when I delivered the money to the captain.

HENRY HUTTON (*police-constable K 60.*) I apprehended the prisoner, and told him he was suspected of robbing the mate—he said, “I did not rob the mate”—I said he must accompany me on board the *Rawlings*—he begged me not to take him there—on the way he said he had taken two doubloons, but knew nothing about the dollars, and he had bought a new suit of clothes in Ratcliffe-highway, and the remainder of his money he put into his pocket, that he went to sleep in a house, and in the morning missed it—he afterwards showed me where he concealed the money on board on the passage home—he had changed one doubloon at Mr. Leming's.

JOHN LEMING. I am a boot-maker, in Broad-street, Ratcliffe-cross. The prisoner came to my shop, and changed a doubloon—I gave him 3*l.* 2*s.* 6*d.* change.

WILLIAM JEPSON. I came home in this ship—the prisoner showed me when he got on shore first a dollar, and then a doubloon—he changed that, and afterwards showed me another—I did not know he had got them till the evening he went on shore—he told me the captain had paid him his wages.

Prisoner's Defence. I found them behind a chest.

GUILTY. Aged 16.—Recommended to mercy by the Prosecutor.—
Judgment Respited.

2635. WILLIAM STOCKEN was indicted for stealing, on the 13th of October, 5 sovereigns, the monies of William Nicholson, his master.

NANCY PEET. I am bar-maid to my uncle, William Nicholson, who keeps the Grosvenor Arms public-house—the prisoner was his pot-boy. On Tuesday, the 13th of October, he came and asked if I could give Mrs. Mills change for a 5*l.* note—I gave him five sovereigns—I never saw him again.

MARY MILLS. I did not give the prisoner a 5*l.* note to get changed.

GUILTY.* Aged 27.—Transported for Seven Years.

2636. NATHANIEL ALDERSON was indicted for stealing, on the

22nd of October, 4lbs. weight of bacon, value 3s., the goods of Richard Butler.

ALFRED GARRETT. I live in Turnmill-street, Clerkenwell. About twelve o'clock on the 22nd of October I was near Richard Butler's shop, and saw the prisoner take a bit of bacon, and put it under his apron—he ran after him, but he got away—about three o'clock I saw him again—I told Mr. Butler, and he was taken—I am sure he is the person.

SARAH BUTLER. I am the wife of Richard Butler, a cheesemonger in Cow Cross-street. I saw the prisoner pass in company with another, and about five minutes after I missed the bacon—it has not been found.

GUILTY. Aged 14.—*Recommended to mercy.*—Confined Nine Days and Whipped.

2637. WILLIAM BARTLETT was indicted for stealing, on the 13th of October, 84lbs. weight of chrome yellow, value 4l. 4s.; 28lbs. weight of a certain colour called English pink, value 3s.; and 2lbs. weight of rose-pink, value 10d.; the goods of Richard Ballard, his master; and DAVID DAVIES, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

Mr. DOANE conducted the Prosecution.

RICHARD BALLARD. I am a paper-hanger in Cross-street, Finsbury. Bartlett came into my employ in July last, as a colour-maker, he had access to these colours. On the 13th of October I missed some chrome yellow—in consequence of information, I went down on the 14th, and I said, "Bartlett, I understand you and your friend Brown, last evening, have been carrying my colour away; you have been robbing me"—he seemed very much flurried, and said, "I have taken away $\frac{1}{2}$ cwt. only"—I said, "Where have you taken it to?"—he said, "Davies's"—I said, "Where is Davies's?"—he would not tell me—he said if I would wait till the evening, he should see Davies, by appointment, and get the money, and pay me—I took him to the station-house, and gave him into custody—I went with Power, the policeman, to Davies's house, and knocked at the door—he calls himself a colour-agent—I said, "Well, Mr. Davies, I have not had the pleasure of seeing you for some time; I have a friend outside wants to speak with you; walk in, my friend will be here in a moment"—and the officer came in—I said, "Have you been buying colour?"—he said, "Yes, I have"—I said, "Who did you buy it of?"—he said, "Bartlett"—I said, "You know very well that it is my colour"—he said, "No," he did not—he knew Bartlett had a small factory of his own, and he thought it was his—the officer said, "You believe this to be your colour?"—I said, "Yes"—I gave charge of him—Davies said, "I gave him a new hat, worth 10s., for it"—I saw a quantity of colour there—it was brought away in a cab—the value of the whole must be, at least 5l.—a colour-agent, or any body in the trade, must have known it was worth more than 10s.—I did not go up into the bed-room—this is seen of the colour—beside the yellow chrome there was 7 cwt. of rose-pink—the whole of the colour was not present when I asked Davis what he gave for it, some of it was up stairs—I suppose they brought down 20 or 30lbs. weight out of the upper room after that—there was 20 or 25lbs. weight of colour in the back-room, on the floor, for which he said he gave me the hat, that was worth about 3l. 10s.—I had not an opportunity weighing it—I did not go into the bed-room—he said that which

brought down stairs he had bought of Bartlett, and that he had bought a great many lots of him previously, and thought it was all right—I made this colour myself—there are streaks of white right through it, which enable me to know it.

Cross-examined by MR. PHILLIPS. Q. Are there no streaks of white in any other chrome? A. Not that I know of—there is better and worse colour than this—I have used better and worse—this piece is a very good one, this other is inferior—I could swear this colour was mine if I saw it a hundred miles off, if I had been informed the robbers had come that way.

Bartlett. Mr. Ballard gave me instructions to sell these colours, as he was in the paper-staining line—he did not wish it to be known that he was in the colour line. *Witness.* Never; nor did I ever sell a pound of colour in my life—it was made for my own use.

DENNIS POWER (*police-sergeant H 18.*) Bartlett was given into my custody, he denied all knowledge of this. I went to Davies, and saw him—I went into the back-room—I saw a quantity of colour in lumps on the floor, this is a portion of it—Mr. Ballard identified it as soon as he saw it—I asked Davies where he got it—he immediately said, “I bought it from Bartlett”—I asked what he gave for it, he said, “A new hat, which Bartlett has now got on”—here are two bags of chrome, which I believe Davies’s daughter brought down from the bed-room—I asked Davies what he gave for that, he said Bartlett had brought it there for samples—there was a small quantity of rose-pink, which the little girl brought down—I weighed the whole of the colour, there was 116lbs.

Cross-examined. Q. The two bags were not brought down when Davies said he gave the hat? A. Certainly not—there was about 40lbs. there then—I have since ascertained this chrome to be a very bad description of colour—this piece is what I am told is called English pink, which is worth about 16s. a cwt.

JAMES BALDWIN. I am a paper-stainer, and live in St. John-street. Bartlett came to me on the 9th of October, to show me some samples of colour, they were similar to those now produced—I bought $\frac{1}{2}$ a cwt. for 8s.—a sample would not weigh above an ounce—I should not call 40lbs. a sample—I bought some lake at 6d. per lb.

BARTLETT—GUILTY. Aged 24.—Transported for Seven Years.
DAVIES—NOT GUILTY.

Sixth Jury, before Mr. Sergeant Arabin.

2638. ALFRED LEWIS NORTON was indicted for stealing, on the 19th of September, 2 half-crowns, the monies of John Anderson, from his person.

MR. PAYNE conducted the Prosecution.

JOHN ANDERSON. I lodge at the Globe coffee-house, Union-street, Spitalfields, and am a poulterer. On Saturday evening, the 19th of September, I was at the Angel public-house in the City-road, between six and seven o’clock in the evening—I was sober—I had been taken poorly previous to my getting there, and was very ill after I got there—I felt a violent pain in the pit of my stomach—it was a spasmodic attack—I complained of being ill, and Mrs. Allen, the landlady, made me some brandy-and-water—it did not do me good—shortly after I was taken very bad—I put my elbow on the window-seat, and leaned my head on my hand—I

was very bad—a medical man was sent for, and he attended to me—there was no other person in front of the bar at that time—the landlord and landlady, and her daughter were in the bar—the prisoner came in while the doctor was with me—the doctor gave me a draught, and I had a fomentation—a cab was then sent for—the prisoner was very attentive to me during my illness, and when the cab came he offered his services to see me home—Mr. Allen said he would be very much obliged to him if he would, or else he would get some other person—I was assisted into the cab, and the prisoner got in too—I had received of the landlady that evening two half-crowns and a 5s. paper of halfpence—that was twenty minutes or half an hour before the doctor came—I put the two half-crowns into my left-hand trowsers pocket—I was perfectly sensible during the whole of my illness—while I was ill my body swelled, and the doctor undid the waist-band of my trowsers—while I was in the cab the prisoner put his hand on my chest, and said, “How are you now, John?”—and when I was passing Finsbury-square, to Sun-street, he put his hand on my chest, and said, “How are you now, John?”—and I felt him take his right-hand from my chest, and place it in my left-hand trowsers pocket—I had two buttons with the two half-crowns in that pocket, and he abstracted the two half-crowns, and left the two buttons—I was very much surprised at the kindness he exhibited, and very much surprised after his kindness to find him put his hand into the pocket, and take the two half-crowns—I put my hand on the outside of my pocket, and thought it was impossible he could do it—I supposed he was either a common pickpocket, or else what we call one of the *swell mob*—I did not know who he was—I was sitting on the right-hand side of the cab—when I put my hand on my pocket I found the two half-crowns were gone—I did not say any thing to the prisoner at that time, thinking if he was what I anticipated he was he would have made his escape by some means or other—the cab stopped in Union-street, and I told the driver to drive on further, expecting I should see a policeman—I saw no policeman—the cab stopped again, and I told the driver to go on further, and the first policeman he came to to stop—we got on opposite Spitalfields station-house, which, I think, is not more than thirty yards from where I lodge—I got out there, and the prisoner did too—I then put my hand on his shoulder, and told him he had robbed me—he laughed at me—I saw a policeman coming out of the station-house—I called him, and we all went into the station-house together—the prisoner was asked there what money he had—he said, “17s. or 18s.,” and he took that money out—the inspector asked him if that was all—he said it was all he had—he was then searched by the constable, by order of the inspector, and two half-crowns, and some other small things were found in his left-hand trowsers pocket.

Cross-examined by MR. PHILLIPS. Q. Are you sometimes called Jack? A. Yes, and frequently *Independent Jack*—all persons in our market have a nick-name, and that is mine—I am a poulterer—I do not know that I have been any thing else but a poulterer, not for the last sixteen or eighteen years.

Q. Did you ever say you were any thing else but a poulterer? A. Yes, a watch and clock-maker—I did it because business was very bad in the poultry line, and I am very handy in that way—my father was a watch and clock-maker, and I have seen a great deal of it though I was not taught it—I do not know who I represented myself so to—I have often

done it, but I cannot tell one person I have done it to—I have no recollection of when I did it last—I cannot tell how many persons I told it to.

Q. Did you ever represent yourself as of any other calling than a clock-maker, a watchmaker, and a poulterer? *A.* Never, that I swear—I know a gentleman named Barton—I told him I had got a situation, but I did not tell him what trade I was—I think I told him I was a porter—I cannot recollect what it was I told him I had got—it was false—I am not aware that I represented myself as a warehouseman to him—I cannot swear that I did not or that I did—that may be two or three months ago, I cannot say exactly as to the time—I will not swear that I did not call myself a warehouseman to him—I told him it was at a Manchester warehouse, No. 20, Watling-street, but I did not tell him what I was, to my knowledge—there was not a word of truth in it—I do not know why I told that lie—I had no particular motive in telling it—I at that time owed Mr. Barton 10s. 4d. for half of a bed, at 2s. a week—I had been lodging with him, and left 10s. 4d. in his debt.

Q. Who provided you with those clothes since you were at the police-office? *A.* Myself—I paid for them—I bought them at various places—the coat I bought in Cutler-street, of a man in the street, promiscuously—I paid for it—I bought my waistcoat in the same place, but of a different person, walking about the street—I bought my stock somewhere up at the West-end, I think, but I really cannot tell the street—I bought my trousers in Cutler-street—I did not try them on in the street—I chanced them, and the coat and the waistcoat also—I have not bought all these things since I was at the police-office—I bought them, some at one time, and some at another—it is a month since I bought the coat—I was in cash, as I paid ready money for it—Mr. Barton found me out at the police-office—I paid him 2s. 6d. as an instalment of the 10s. 4d. I owed him—I had not the whole of the money I owed him—I lived in the service of Mr. John Jacobs, a poulterer, many years ago—I do not know why I left him—I was never with him on wages—I was never a servant of his—we separated—I was quite a boy—I lived with Mr. Henry Knill, in Tooley-street, many years ago—he took me before Alderman Farebrother, on a charge of stealing a fowl, or something of that kind—I believe Mr. Knill discharged me—I cannot recollect whether he did or not—he did not discharge me, Mrs. Knill did.

Q. Did you take the benefit of the Insolvent Act? *A.* Yes—I was remanded six months by order of the Court, for undue preference to a creditor—I did not hear that they used the word “fraudulent”—I was in gaol once before that, I think—no, it was since—I never was more than once—I think not more than twice, to my knowledge.

Q. Might you have been in gaol, and forgot it? *A.* I cannot recollect that I ever was but twice—I was in Whitecross-street, at least in Clerkenwell, for sureties, for three months—I never applied for sureties—I wanted to get out, but I did not want any one to know I was there—I stopped there my time—there was one person offered to be bail for me—I never was in any other prison—I never was in the county of Cornwall.

Q. Will you swear positively to me that you have not been in gaol twice, independent of the two times you have mentioned? If you forget it, say so, and I will have done with you. *A.* I might forget it, I will try and bring it to my mind—why, they call the watch-house gaol—I have very

seldom been in the watch-house ; for instance, when I went about this fore-
I was in the watch-house then—I do not know how often I have been in
the watch-house besides that—on the occasion of my bail I was in the
watch-house, but I was never confined, to my knowledge, more than on
those occasions I have named—I think I can swear I was not—I cannot
recollect that I ever was confined in prison—I might have been in and out
again—I have been in the Fleet and out again—I will swear I never was
confined in prison but once in Whitecross-street, and once in Clerkenwell
—I was in the employ of Mr. Williams—he discharged me because we could
not agree—I do not know that I told a lie to him also—I did not give out
that I was his relative—I said he was a friend of mine—I did not say that
I was related to him, to my knowledge.

Q. Did you go to him the other day, to beg, if he had heard of this
business, that he would not come forward against you ? A. I did not go
to him—I met him in the market—I do not know that I asked him any
thing of that kind—we had some conversation together—he came to me
one morning, stopped me, and spoke to me—I told him we had had some
little dispute together, that I was very sorry for what had occurred, and I
hoped he would think no more of it—I said I had been round, and the par-
ties in the market had heard of it, and were prejudiced against me—we
had not disputed about my giving out that he was a relation of mine—we
had no dispute previous to my leaving him—I cannot say that I ever said
he was a relation of mine—I might have done it and forgot it.

Q. Did you ever live with one Robinson ? A. Oh yes—I did not tell
him that I was a relation of Mr. Williams, to my knowledge—I told him
he was a friend of mine—I might have told him I was his relation, and
forgot it—if I told him so it was a rank falsehood—I ran away from Ro-
binson in debt also—I lived in Old-street before I lived at Picton-street,
Camberwell.

Q. Did you ever swear you did not know where you lived before ? A.
I have lodged at a good many places—I have no idea how many places I
have lived at in the last six years—I paid at all I could—I do not know
how many that was, I am sure, nor how many I left unpaid—I dare say I
paid half of those I lived at—I cannot recollect—I earned the money I
bought these clothes with—I did not pay more than an instalment to the
gentleman I paid 2s. a-week to, because it suited me better to pay by in-
stalments—I hawk poultry about the street—I have been unfortunate in
business—I have not a shop now—I have carried poultry into public
houses to raffle—I was painted up, many years ago, and carried about the
market as Guy Faux—I was over-induced to do it by a parcel of rags-
bonds about the market—I lived with Mr. John Smith many years ago
—I do not know why I left him—he charged me with robbing him, but
it was false.

JOHN WHIFFIN. I live in Baldwin-street, City-road, and drive a cab
No. 3081. I remember the prosecutor and the prisoner being in the cab
—I drove to No. 44, Union-street—when I got near the place the prose-
cutor put his head out, and told me to go on, and to stop when I saw the
first policeman—I did not see any one, and I drove on to the station-houses.
—I did not go into the station-house—I went back because the prosecutor
had no money, and I was paid over the bar at the public-house.

Cross-examined by MR. CHAMBERS. Q. Which side-window was it that

the prosecutor put his head out at? *A.* The near side—I was sitting on the off-side, on the box.

GEORGE BELL. I am a policeman. On that Saturday night I was coming out of the Spitalfields station-house—I saw the *cab*—the prisoner and the prosecutor were in it—the prosecutor charged the prisoner with stealing two half-crowns—the prisoner was about to say something, and I said, “You had better go into the station-house and state it”—I went in with him—I asked what money he had got—he said 17*s.* or 18*s.* which he took out himself of one of his trowsers’ pockets—there were three half-crowns amongst that—I asked whether that was all he had, and he said, “Yes”—I searched him further, by the desire of the inspector, and found two half-crowns, and some other things, in his left-hand trowsers’ pocket—he was going to say something, and the inspector told him he had better say it before the Magistrate.

HENRY HARRIS. I am a police-inspector. I was present, and saw the prosecutor—he was ill—what the constable has stated is correct.

SARAH ALLEN. My husband keeps the Angel public-house, in the City-road. The prosecutor was there that Saturday night, and was taken ill—I had paid him two half-crowns and 5*s.* worth of coppers—I took the coppers back when he was taken ill—he was quite sober—the prisoner was there, but he did not have any thing to drink.

NOT GUILTY.

2639. *JOHN HANSON* was indicted for stealing, on the 16th of October, 123*lbs.* weight of copper-wire, value 10*l.*, the goods of William Fothergill Cook.

JOHN NICHOLAS (police-sergeant K 1.) On the 16th of October, about seven o’clock in the evening, I was in the Commercial-road—I observed the prisoner and another carrying this parcel—I went up, and asked what they had got—they said wire, which they brought from Stepney station, and were going to take it to another station—they went on—the other one threw down his parcel, and ran away—the prisoner kept carrying his bundle—I took it off his back, and the other officer took the prisoner.

Cross-examined by Mr. PAYNE. *Q.* Did he make any resistance? *A.* No—he said he was going to take it to the Minories’ station.

GEORGE CARR. I am a policeman. I took the prisoner—he said, “I have been led into it—I have been made a dupe of—I met a man on Tower-hill, who said, Did I want a job?—I said, ‘Yes,’ and he took me to Stepney and gave me a bundle, and said, Go on with it.”

Cross-examined. *Q.* Did he not say he represented himself as foreman to the railway? *A.* No, I did not hear that.

DANIEL DERRIG (police-constable K 27.) I was at the station-house—I asked the prisoner how he came by the wire—he said the foreman gave it him at the Stepney station, and he was to take it to the Minories, and deliver it to any one he saw there.

ALFRED COOMBS. I am in the employ of the Blackwall Railway; Mr. William Fothergill Cook is my master. This wire is his property—it was taken from the place where I work—the prisoner worked on the line—he could get at this wire if he was so inclined.

Cross-examined. *Q.* What do you know it by? *A.* By the mark on the paper—here is an address on it, directed to the Minories.

GEORGE SALE. I am servant to Mr. William Fothergill Cook, contractor for the Railway Telegraph—this wire is his.

THOMAS GREENER. I am an inspector to the London and Blackwall Railway Company. This property was in a shed—I heard a noise and went there, and missed it.

(The prisoner received a good character.)

GUILTY. Aged 50.—Confined Three Months.

2640. JOHN VANDOME was indicted for stealing, on the 22nd of October, 22lbs. weight of cheese, value 12s., the goods of William Wheatley.

WILLIAM WHEATLEY. I keep a shop in Brick-lane, Bethnal-green. On the evening of the 22nd of October, this cheese was taken off my window-board—some young girls came in and acquainted me with it—I went out, and the policeman had got the prisoner.

JAMES STOKES (*police-constable H 178.*) I saw the prisoner come down Hare-street, with the cheese under his left arm—I heard a cry of "Stop thief"—I was about twelve yards from him—he ran and dropped the cheese—I pursued and took him.

Cross-examined by Mr. PAYNE. Q. Did you stop and pick it up? A. Yes, but I did not lose sight of him—two *civilians* stopped him, and I took him—he was about a hundred yards from me—it was about ten o'clock at night—I could see two hundred yards off if my sight was not obstructed.

GUILTY.* Aged 24.—Transported for Seven Years.

2641. MARY BAILEY was indicted for stealing, on the 17th of October, 1 purse, value 1s.; 3 half-crown, 3 shillings, and 1 sixpence, the property of Robert Parminster Knill, from the person of Harriet Knill: and that she had been before convicted of felony.

HARRIET KNILL. I am the wife of Robert Parminster Knill; he is a printer. On the 17th of October, about ten o'clock at night, I went to Mr. Taylor's, a pork-butcher, to market—the shop was pretty full—the prisoner stood on my right-hand, close to me—there was no one on my left, but another person was behind me—I took a half-crown piece from my purse, which was in my right-hand pocket, and contained three half-crowns, three shillings, and a sixpence—I did not take the purse out of my pocket—I know this money was in my purse secure, and am quite confident I snapped the purse in my pocket—I was leaning over the counter to speak to the person who was serving, and felt a hand at my pocket on my right-side—I felt a hand pressing against my pocket, and one on my shoulder—the prisoner was at this time at my right-side—I felt immediately in my pocket and missed my purse—my pocket-hole is rather behind me—the person who was behind me was shorter than me, and appeared to be stretching up to look over my shoulder, and she was pressing against me—I immediately declared that I had lost my purse, and some one had taken it—the prisoner then said to her companion, "You had better go outside and point out to the lady which rabbit we will have," and the woman who had been leaning over my shoulder left the shop immediately—she had been near enough to the prisoner to have carried away the purse—they had both been as near to me as they could possibly stand—Mr. Taylor detained the prisoner in the shop—I have lost my purse and money altogether.

MARGARET TAYLOR. I keep the shop where the prosecutrix was pur-

chasing some articles. The prisoner came in with another person—they asked the price of a rabbit which was in the window—the prosecutrix stood near the door—the prisoner and her companion stood next her—I had suspicion and watched her—I saw the prisoner whisper to the other, who immediately went behind the prosecutrix and took something out of the prisoner's hand, and then she popped away in a moment—I am quite sure the prisoner and her were companions and came in together—they bought nothing.

GEORGE BALL. I am a policeman. I was sent for, and went to the shop—the prisoner was accused of robbing the prosecutrix—she said she knew nothing of it—Mrs. Taylor accused her of having another person with her, who had run out of the shop.

Prisoner's Defence. I went and asked the price of a rabbit in the window—Mrs. Taylor asked me which it was—I said, "The small one"—I waited about five minutes—another young woman came in and a lady—the young woman said, "What is the price of the rabbit in the window?" and I said as she was going out, perhaps she would show her the one I wanted—the prosecutrix then missed her purse—she had a bunch of greens in her hand—I persuaded her to shake them, which she did, but did not find it—Mrs. Taylor then said, a young woman had left the shop, and she thought I was with her—she took my arm—I said she need not hold me, I would wait, and I went up the shop—I know nothing of it—I hope you will have mercy on me for the sake of my poor child, only eight weeks old.

CHARLES BEAUMONT (*police-sergeant G 11.*) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(read)—the prisoner is the person.

GUILTY.* Aged 18.—Transported for Ten Years.

2642. SARAH BRYANT was indicted for feloniously receiving, on the 6th of October, of an evil-disposed person, the body of a shirt, value 5s.; 1 pair of sleeves, value 2s.; 10 pieces of linen cloth, value 1s.; and $\frac{1}{2}$ a yard of lawn, value 2s.; the goods of William Matthews.

SOPHIA MATTHEWS. I am the wife of William Matthews, and live in Hertford-road. On the 6th of October I missed from my parlour the property stated—I found the window half up at about a quarter to five o'clock.

WILLIAM HORSNELL. I am a policeman. I went to search Walters's house—I found the prisoner there and a man named Reeves—(Reeves and Walters were convicted this morning)—I found this property between a bed and a mattress—the prisoner said she slept in that bed—I asked how she came by this property—she said before she would tell to get another person into trouble she would suffer the law herself.

NOT GUILTY.

2643. ROBERT BASSETT was indicted for stealing, on the 24th of October, 1 copper, value 15s., the goods of John Neale Boyce; the same being fixed to a certain building.

WILLIAM POWELL. I am a policeman. On the morning of the 24th of October I was in Chad's-row, about half-past ten o'clock—the prosecutor came and said he had lost a copper between eleven o'clock the night before, and seven o'clock that morning, and he had just got information that the party was breaking it up at a blacksmith's shop in Cumberland-row—

I went there—I passed through the blacksmith's shop, and went to another little shop, where I found the prisoner shut in, breaking up the copper—I knocked at the door, and the prisoner stood still—a person there said, “*Bob*, here is the policeman”—the prisoner then opened the door—I asked him how he came by the copper—he said his father bought it two or three days before, and he was going to sell it for his father.

Prisoner. There were three other men there—I supposed the copper was my father's, as he is a smith. *Witness.* There were not three men where he was—I have seen his father, who says he knows nothing at all about it.

JOHN NEALE BOYCE. This copper was mine—it was fixed in my wash-house, at No. 25, Chad's-row—I saw it last Friday evening safe—my wife had been washing in it—I must have lost it on Friday night, or early on Saturday morning—I accompanied the policeman to where the prisoner was found breaking up the copper—he left off on our entering the shop—it was begun to be broken up—my house and the house the prisoner was in come back to back—I heard him say he got it from his father four days before.

Prisoner's Defence. I said I supposed my father bought it in the shop—they took me to the station-house, and were about to let me go, but my father came and said they had better keep me—what is it they can swear to it by?

WILLIAM POWELL *re-examined.* I examined the premises, and traced the prisoner's foot-marks through the shop.

GUILTY.* Aged 20 — Confined Six Months.

OLD COURT.—*Tuesday, October 27th, 1840.*

Second Jury, before Mr. Common Sergeant.

2644. THOMAS WILSON LILLY, *alias Thomas Wilson*, and THOMAS LILLY, were indicted for a conspiracy.

MESSRS. PHILLIPS AND CLARKSON *conducted the Prosecution.*

JOHN SIMMONDS. I am a jeweller, and live in Southampton-row, Russell-square; I also carry on business in Holborn, in partnership with my brother. I know both the prisoners, one by the name of Wilson, and the other by the name of Lilly—in December last Lilly came into my shop in Southampton-row, and asked if I would purchase a ring—he produced this ring to me—(*producing it*)—it was a very foggy day—I asked what he wanted for it—he said it cost him, or the person who gave it him, 5*l.* in India—I immediately gave it him back and said, “It is not worth half the money to us”—he said he was a tailor, that he was in very great distress, and had to make up a payment that morning, or he would not part with it, as it was given him by a particular friend—would I give him 3*l.* for it—I said it would not suit me at any thing like the price, it was only valuable to me to break up for the stone and the gold—I at last said, I would give him 30*s.* for it, which I did—he said he did not like to part with the ring, but would I lend him the 30*s.*, and he would come back and redeem it, but he has never been—I do not think he told me his address—this ring purports to be an Indian ring of rude manufacture, as they make them in India of very pure gold, but clumsily made, and the stones roughly cut—it is made to

imitate a ring of that description—it has all the appearance that a genuine Indian ring would possess—if the gold was genuine it would realize me from 2*l.* to 2*l.* 10*s.*, not more—it is a base composition, made with a peculiar alloy, which stands the test of aquafortis, on being rubbed on a touch-stone—I have not had this assayed, but I have had some assayed which I believe to be of the same quality, and that turns out to be about 17*s.* an ounce—therefore this ring would be under 4*s.*—it is intended to represent standard gold, worth 78*s.* an ounce—the things which appear to be stones are two pieces of crystal, called doublets—when a stone is set without foil behind it, it is one criterion of its being a genuine stone, and shows that it is fine—these two pieces of crystal are cut very flat, the horizontal parts are brought together, and the colouring put between them to imitate the real thing—these stones are worth 9*d.* each—altogether the ring is worth 5*s.* 6*d.*—on the 21st of July last I was in my shop in Holborn—the prisoner Wilson came there and inquired if I bought jewellery—I said, “Yes,”—he produced these twin pins stuck in a piece of paper—(*produced*)—one is now broken—it was cut by direction of Mr. Alderman Pirie, for the purpose of assaying—one of these imitates the opal, the other a ruby—immediately he gave them to me I recognized them to be of the same description as the ring, and of the description also which I had been cautioned against—they are made to represent standard gold, worth 3*l.* 10*s.* an ounce at least—I said, “What do you want for these?”—he said, “They cost me 5*l.*”—I asked what he wanted—he said 3*l.* 10*s.*—I said, “Are they gold?” or “What are they?” one or the other—he said, “Yes, they are gold”—I said, “Are they real stones?”—he said, “Yes, they are real stones”—I said, “What is your name?”—he said, “Wilson”—I said, “You are a *duffer*,” (which is a term in the trade applied to persons who make spurious goods,) “and your name is Walker, you have made these things on purpose to rob me, as some of your gang have before”—he said I was a liar—I told him if he made use of that kind of language I would kick him out of the shop—he said, “Well, you are a liar, and you may try them”—I then took the touch-stone, and was rubbing them sharply upon it, when he came with his clenched fist and threatened violence towards me—I told him that if he made use of any threat in my shop I would knock him down—he opened the door and began calling me a swindler and many other bad names, and said I had robbed him of his pins—I had not then said I should not return them—he eventually went away from my shop, and I kept the pins—I told him I would keep them and show them, and take them before a Magistrate—about five minutes after he was gone, I went out to look where he went to—I went to the corner of Castle-street, which is four doors from my house, and saw him in conversation with the prisoner Lilly—Lilly came up to me and asked why I had stopped the pins—I said, “Because it was a *duffer*”—he then said if I called him a *duffer*, as I had called his friend, he would roll me in the mud—he then said he would *punch* my head—I said, I was sure he would not, but if he annoyed me in the street, I would give him in charge of the police—he dared me to do it—there was an altercation—I said if I had done wrong I was open to the law, but it was my intention to take the pins to the Magistrate—I then walked back to my shop—they followed me—an assembly of people was collected by the noise they made outside my shop-door, which continued about five, seven, or ten minutes—I obtained a policeman on my way from Castle-street to my own door—I said to them, “If you cause

any disturbance here I will send you off to the Compter"—Lilly said if I did, it would be the worst day's work I had ever done—the noise and disturbance continued till I was obliged to give them in charge—I should say there were from thirty to forty or fifty persons there—there was a mob completely round the house—these pins are of the same description as the ring—I have had them assayed—they can be made for about 14s. or 16s. the two—the stones are only doublets—the opal is glass, and the ruby a piece of crystal—they are of a base composition, in which there is a small portion of gold—it is made to imitate standard gold—such things are never made in the trade under any circumstances.

Cross-examined by MR. PRENDERGAST. Q. I take it for granted you do not sell any articles in your shop for gold, which are not gold? A. Certainly not—I do not profess to mark things gold which are not gold—I swear that positively—I do not sell any articles for gold which contain less gold than those produced, not for solid gold—these are sold for solid gold—there are many descriptions of gold articles—in the composition of these pins there are four carats, or four 24th parts of gold, and twenty parts of alloy, a composition which is never made up for legitimate trade—these have been assayed by Johnson and Cock, of Hatton-garden—I believe they are here, subpoenaed on the other side—they have reported the result of the assay—what I know about the pins is from what they have stated, nothing else—there have been three assays made—I can of my own knowledge tell within a trifle what proportion of gold there is in this ring, from rubbing it on a stone, and trying it with aquafortis, although I cannot say to the exact proportion—I was of opinion that there was no portion of gold at all in it, from the fact of its being gilt, but I have convinced myself that there is gold in it, by a trial on the touch-stone, which is the usual way with jewellers—I found that out previous to the assay, and previous to going to Guildhall—I had never seen Wilson before the 21st of July—the mob were laughing and making a noise—they did not attack me, but they made a disturbance—he was representing that I had stolen his pins, and wanted the policemen to take charge of me—the policemen were not called by him—I called them, because he was threatening violence towards me, because I would not give up the pins—I have known a person named Cullingford within this week—I never told him that I should not have given the prisoners into custody, only I thought they would have brought an action against me, nothing of the sort—I knew it was their intention to have brought an action against me, as they have done against a great many others on similar occasions—supposing these pins to be genuine, they would be worth full 3*l.* 10*s.*, or from that to 5*l.*, according to the value of the stones—I was not going to give any price for them—he asked me 3*l.* 10*s.*—I looked at them to ascertain their value—precious stones vary greatly in price—supposing these to be genuine, I should sell them at 5*l.* or 6*l.*—they certainly would not be worth ten guineas—the weight of gold would be comparatively small—the stones would be the valuable part—the gold, supposing it to be solid, would be worth about 1*l.* 4*s.* or 1*l.* 8*s.*—I was never in a court of justice as an offender—I was never at Guildhall charged with setting a dog on a person, nor any thing of the sort.

Q. What is the lowest proportion of gold to alloy sold in your shop? A. Gold will not bear a colour under what we call half, or twelve carat—that is the most inferior gold that is made up—these pins are very strongly

gilt—I have heard that a seal has been bought at my shop—the gold in that seal I should say is sixteen carats of gold, and eight portions of alloy—(*seal produced*)—I call this a gold seal—it has been filed down to the solder, which is used for the setting—this is sold as a filled seal—it is not sold as a solid fine gold seal—it is marked as fine gold, and it is a fine gold seal—it has sixteen proportions of gold to eight of alloy, and these pins have only four to twenty—we cannot tell a real stone without drawing it out of the setting—I never knew pins sold as having diamonds in respectable shops which were not diamonds, nor do I think any respectable man would dare to do such a thing—inferior diamonds and precious stones are not sold for superior ones—when I put a ruby in the window, and call it a ruby, it is one—there are inferior rubies—we frequently put foil under them to throw up the colour, and give them a bright hue—the colour is the quality of the ruby—I do not know what this seal was sold for, but I should consider from 30s. to 35s., 36s., or 38s.—I cannot say positively—there is no gilding on this seal, nor any colouring—coloured gold articles are sold, but no respectable shop sells common gold articles gilt, as coloured gold—sixteen carats fine gold will colour to come up to the colour of standard gold, and it is constantly done—the colouring is not put on—it is the alloy discharged from the surface by a chemical process—gold inferior to sixteen carats will not come up to colour—the process is this, the article is made red hot, and thrown into a composition of acids, by which the surface of alloy is destroyed, and the gold left, consequently the whole of the surface exhibited to view is pure gold—it may be sometimes done rather under sixteen carats, but it must be a very trifle—I never knew it done under—I have heard of its being done, but it has not turned out so well on melting—I do not manufacture things myself—I keep workmen who do, and superintend it—I am quite *au fait*—the composition I speak of is a secret in the trade, in which those who perform the process pride themselves very much—I employ men who know the secret—the outside part of this seal is gold, not all of it—if the stone was in, all that would then be seen would be gold—the setting is solder—the solder is put in to strengthen the gold—it is a lining for the article—it is considerably thicker than the gold—the solder is a thick plate of metal going all through the article—it is sold at a price accordingly—a solid gold seal of that size would be worth four guineas—it would be impossible for me to tell what quantity of alloy there is in this seal, because it goes through it—I believe there are from twelve to sixteen carats of gold in the seal, not in the strengthening of it—there is solder in the handle—the seal is all composed of one kind of gold, and the strengthening is all composed of solder—I call this a fine gold filled seal—the solder in the handle is put under the gold to strengthen it—a solid gold seal could be made, if you go to the price.

Cross-examined by Mr. CHAMBERS. Q. Had you not some doubt at one time whether it was Lilly who came with the ring? A. I had at first—I do not recollect having seen him before—I am in the habit of buying articles of persons I have never seen before—I have had the stones out of this ring since I bought it, and I put them in again myself—I have had nothing done to them, but I rather think there is a piece of foil gone from one of them—I think we lost it at Guildhall—I took it out to show the Alderman, and I rather think the foil got dropped, but I am not sure—a foil is put at the back of stones—it has lately become a well-known trick among the trade—it is not done by jewellers, but by this gang—I buy

Birmingham ware—I should say none of these things are made at Birmingham—rings are made there to imitate stones, but certainly not to imitate Indian gold—no ring of this description is made for the trade—the part of this ring which purports to be gold is in the same state as when I received it—it most decidedly represents the standard Indian gold—this is the exact colour of Indian gold—Indian gold is twenty carats fine, or even more than that—it is almost pure, that is, twenty-four carats of gold and no alloy at all in it—I have been a jeweller all my life time—I have not worked with my own hands, but I have constantly been in it from childhood—I took out these stones from the ring, and put them in again myself—I gave 30s. for it—I have never offered to sell it—I should have broken it up, and had the stones reset and remounted—I should say I have not seen rings in shops marked “real stones” which are not real—I do not think there is any such thing—I sell every thing pertaining to silver and jewellery—the seal and fancy trade has very much altered of late years for the better—gold used for manufacture is better now than it was twenty years ago, when I first knew the trade—gold was of a red colour, and then there was more alloy—it has varied according to fancy or fashion, but has never been under twelve carats fine.

MR. BODKIN. Q. Look at that broken seal, of your own knowledge do you know where it came from? A. Yes, it formed part of my father's stock.

SAMUEL HOWSE. I live in Boot-street. I have known Lilly ever since the latter end of 1834, and Wilson between two and three years—Lilly is a tailor, and Wilson, I believe, has been a gentleman's servant—Lilly has very often employed me to pawn clothes and jewellery for him—the clothes were manufactured by him, and the jewellery by a man named Walker—Lilly told me they were manufactured for the purpose of pledging or selling at a profit—Lilly directed me when I pawned things to give an address as near to the pawnbroker's shop as possible—I was employed by Lilly till about May last—both he and I knew that the jewellery articles were not genuine—he stated so to me—on the first occasion of my pawning for them, at the latter end of 1839, I met Lilly at Walker's, accidentally, and they proposed I should endeavour to pledge a suit of clothes and a ring, which I was to call a ruby, but they told me it was not ruby but *doublets*—in case I was asked if it was rubies, I was to say yes, and that the ring cost six guineas—I was at all times to represent the articles as genuine, and as having cost a great deal of money, in case the question was asked—I should say I was successful in passing off these articles to pawnbrokers in about fifty or sixty instances—the sum I got deposited on the article—I generally pledged, not sold—4*l.* was the highest I got for any article—I always paid the money to Lilly—the six guinea ring Lilly told me cost 17*s.*—he directed me to get as much as I could on it—it was pawned along with other articles, but I suppose it realised 30*s.* or 40*s.*—I had some money for my trouble—I pawned the first suit of clothes and the ring at Mr. Barker's, in Houndsditch, for 4*l.*—Lilly was outside the door when I went into the shop, and Walker along with him—I gave the 4*l.* to Lilly—I think he gave me 1*s.*—he told me, if I was asked what the ring was made of, to say it was rubies, and to call the metal gold—Barker did not ask anything about it—(looking at the ring produced by Mr. Simms)—I have seen this ring before, or one similar to it—they were charged

for it—this is not the ring I was to pass off as a six guinea one—this is the one—(*looking at it*)—this was in the lot I got 4*l.* on—when I took the second lot, I was to say I had redeemed the lot on Saturday night, and that was the same, I was bringing back again—it was a fac-simile of the first lot, but not the same—after I had succeeded in these things, Lilly said it was well done—I have heard him talk of poor Tomlinson, and say that he stopped some of his goods, and he brought an action against him, and ran it on to 200*l.*—I know of Lilly selling pins to Messrs. Bradley, Campbell, Allport, Glanville, and D———I saw them all before he sold them—they were spurious pins—I saw him go into the shops to sell them, and he afterwards told me he had sold them—I never spoke to Wilson about this business.

Cross-examined by MR. CHAMBERS. Q. What are you by business?

A. A butcher—I have not done any thing as a butcher since last October—I never went to Mr. Simmonds with any of their goods—I never sold any thing to Mr. Simmonds.

—— MANNING. I am a jeweller, and live in Regent-street. About six months ago, or not quite so much, the prisoner Wilson came to my shop with three studs, which he represented to be gold—I did not try them, but from their appearance I should say they were not gold—I said, my young man had bought a pin of a person, who I supposed was the same party, and I asked him where he came from—he said from Lincoln, and that his master had made him a present of them—I said, “If I ever see you in my shop again, I shall charge the police with you”—he left the shop—about a fortnight or three weeks after, he came again in company with a short stout man who I cannot swear to, but he was about the same height as Lilly—Wilson came with his face close to the door, and the other man came up—I saw Wilson’s face directly, and followed them close up Regent-street, but when Wilson saw me, they turned down Argyle-street, and I missed them all at once—he put his head into my shop as much as to say, “That is the shop” or something.

—— DELLER. I am a pawnbroker in Long-acre. On the 21st of October, 1839, Lilly pledged a bar of gold at our place for 6*l.*—he represented it as 52*s.* gold—he said he was a jeweller, that he had taken it to a neighbouring pawnbroker’s, who had offered him nearly what he asked, and on those representations I lent him the sum he asked—it has not been assayed, but in my judgment it is worth about 30*s.* an ounce—there was about 2½*oz.*—about four months after, he came again, and pawned some jewellery—I cannot now ascertain what it was—I said, “You are the party who pawned the bar of gold about four months ago”—he said, “Yes, I am, I shall have it out shortly”—the year expired last Sunday.

Cross-examined by MR. PRENDERGAST. Q. Do you know Howes?

A. No—I am quite sure of Lilly’s person.

Cross-examined by MR. CHAMBERS. Q. Had you ever seen him before? A. No—I saw him for about five minutes—I never had any doubt of him—I believe I am a judge of the value of gold—I have been a pawnbroker six years—I did not make the discovery till I saw in the newspaper about this affair.

HENRY HAMILTON. I am in Mr. Deller’s empoly. About four or five months back, I bought this pin of Lilly—it is an imitation of a ruby and emerald—he asked 3*l.* 10*s.* for it, and said it was worth a great deal more, but he wanted to make up some money—we asked if it was all gold and real stone—he said, “Yes”—Mr. Deller let him have 35*s.*, saying, if

he wanted it again, he could take it out to-morrow—the stones turned out to be *doublets*, and the emerald the same—it is worth about 12*s.* in the trade.

Cross-examined by MR. CHAMBERS. Q. Is that your estimate of the value, or what you hear from others? A. Both.

WILLIAM BENHAM TOMLINSON. I am a pawnbroker in Upper George-street, Bryanstone-square. I know both the prisoners—Wilson brought a suit of clothes to my shop, and put them down to my young man—I was standing alongside—he asked 2*l.* 10*s.* on the coat and trowsers—the young man asked him if he would take 2*l.*, and asked him his name and address—I think he said, “Thomas Wilson, No. 40, Nutford-place”—I sent Richardson, my young man, to the house—he returned, and said, in Wilson’s presence, that no such person was living or lodging there—Wilson then said, “If you don’t like to take them in, give me them back, they are my own property”—I said, “I shall not give them up unless you give a better account of yourself, as you have given a false name and direction”—he then went out—about five minutes after, Lilly came with Wilson, and said, “D— it, what do you stop my things for? they are mine”—I said, unless they could give a better account of themselves, I should not restore them—on that they both went away—in the course of the day I sent the clothes down to the police-station in Marylebone-lane—Lilly came twice next day, and demanded the property—I said they were at the station-house, and if he went and gave a good account, they would restore them to him—he said he should not do it, and on the following day I was served with a notice of an action—I had examined the clothes—they were *duffers*, made up for the express purpose of plunder—I understand jewellery—I should say these stones, in the articles produced, called emerald and rubies, may be manufactured for about 12*s.*—they are spurious.

Cross-examined by MR. CHAMBERS. Q. The value of such articles as these are known in the trade? A. No, they are not—the way these are passed off on us, is, they watch the opportunity for the master to be out of the way, and come at twilight to deceive the young men—I could tell the value of them in a moment—my shopmen could not tell so well, particularly if they came in the evening—this was in December, 1838.

Cross-examined by MR. PRENDERGAST. Q. You said in Wilson’s presence, that he did not live there, what did he say about that? A. He said “What is that to you? I have a right to state what I like”—he did not come afterwards, and tell me the articles were his brother’s, or relation’s—they said nothing about being relations—I had to pay 26*l.* to compromise the action—I have not given up the clothes—I sold them afterwards for 35*s.*—he made me pay eight guineas for them—the only error I committed, I found I ought to have given them both into custody, and not doing so, subjected me to the loss of the action—(looking at the seal produced to the prosecutor)—this gold seal is genuine, but it is loaded for the express purpose of holding the stones—I should say it is a fair gold seal—Half-marked seals are not common—I should say gold in this state, at the lowest calculation, is worth 43*s.* or 45*s.* an ounce—I see no solder in the handle—I believe it to be all gold, but I am not a manufacturer—I should say the ring or loop is all gold, and the handle also—it is not quite genuine, because that means pure gold.

MR. BONKIN. Q. What is a standard gold seal of that size worth? A. About six guineas.

THOMAS RICHARDSON. I am shopman to Mr. Tomlinson. I remember Wilson bringing some clothes to the shop—in consequence of Mr. Tomlinson's directions, I went to the address he gave—I found no such person—I came back and said so—I was present when they both came afterwards—I have not the least doubt of their persons.

JOHN HATTON. I am a jeweller, and live in Store-street. In February last Wilson came and offered me a ring similar to the one produced—I asked if he sold it for gold—he said he did not know exactly whether it was gold or not—I asked what he wanted for it—he said 2*l.* 10*s.*—I then saw what it was—I took it to my board, took a three-square file and filed a notch in it, and put aquafortis in it—I told him he had better take it back and tell Walker to resolder it, and put some more gilt on it, and then he could sell it again—I do not remember what answer he made—I called him a rascal, and told him he came into the shop for the purpose of robbing me—he said he did not—he took the ring out of my hand, and got out of the shop as quick as he could.

Cross-examined by MR. PRENDERGAST. Q. He told you he did not know whether it was gold or not? A. I think he did—I knew Walker twenty-five years ago—he cheated me when I was a sweep-washer.

HENRY SHELLY. I am a silversmith in Leadenhall-street—I know Lilly. On the 27th of April I bought this pin and a mourning ring of him—the ring has been melted—my partner asked him if they were real stones—he said they were, one was an emerald, and the other a ruby—I gave 30*s.* for the lot, including the mourning ring—we calculated that at 10*s.*—I should not think them worth above 15*s.*—the stones are, I think, crystal, painted inside.

Cross-examined by MR. CHAMBERS. Q. What is the mourning-ring worth? A. 10*s.* we calculated it at—we put that in the gold-bowl as old gold, and sell the bowl, when full, to a dealer—I believe people who keep jewellers' shops sell a good many false stones.

SAMUEL HOWES re-examined. They used to buy old mourning-rings to put them among the spurious articles—the duplicates were considered of no value, any body might have them—I have occasionally seen them destroyed.

Cross-examined by MR. PRENDERGAST. Q. Is not Wilson the uncle of Lilly? A. I believe he is.

CHARLES SHELLY. I am assistant to Mr. Snelling, a pawnbroker, in Clarendon-square. I have known Lilly some years by his offering me clothes to pledge at Mr. Snelling's, and when I lived at Mr. Tilly's, in Mile-end-road—I have known him offer clothes perhaps once in six months—I never took any thing from him—I knew him to be a dealer in these kind of articles—they were common new suits of black made up for the purposes of deception—(*looking at some produced from Barker's*)—these are some we call *duffers* or *riggers*—they are invariably done up in such a common sort of way, sometimes just turned in and plainly stitched—it is a common cloth—I do not know the process by which they are made to assume this fine appearance—this is a *duffer*; it is made up for the purpose of deception.

Cross-examined by MR. CHAMBERS. Q. What do you mean by deception; cannot you see? A. They come in at a time perhaps when we are very busy, and offer the things, thinking we have not sufficient time to look at them, to

take us off our guard—I could buy these trowsers at about 10s. a pair—no person would buy them but for the purpose of bringing them to deceive.

SAMUEL EVERDON. I am in the employ of Mr. Wood, a pawnbroker, in St. John-street-road. Howes has pawned things with me which appeared to be gold—it was gold of an inferior description—I lent 5*l.* 10*s.* on it—it turned out to be worth something more than 4*l.*—an attempt was afterwards made to pledge a lady's gold chain—I tried it and found it to be spurious, and detained it—an action was brought against us in about a week by Lilly—Lilly told me he had bought it and paid for it himself, and knew it to be gold—I went to him to take him into custody—he said he had left the action entirely in his solicitor's hands—he said he had sent it to pledge, that it was his—my employer had about 32*l.* 10*s.* to pay in consequence of that proceeding—I knew Lilly before—I formerly lived with Mr. Attenboro, a pawnbroker, and knew him there—he offered to pledge several things there, generally new clothes—they were things made up entirely to impose—on one occasion our young man put a mark on them, and Lilly attempted to throw an inkstand at him—the lady's gold chain was returned to Lilly's solicitor after the action—I suppose my master paid the 32*l.* 10*s.* to Lilly's solicitor.

Cross-examined by MR. CHAMBERS. Q. How long ago was this throwing the inkstand? A. Between two and three years—the chain was offered four or five months ago, about April or March—our solicitor returned the chain—I have been a pawnbroker between seven and eight years—I do not exactly know that it was a D that was tried to be marked on the articles—it was done with ink, to let the next pawnbroker know he was a regular thief, and prevent his pawning it.

SAMUEL HOWES re-examined. I took this gold chain to endeavour to redeem a bar of gold with it, but they would not take it in—Lilly said he would bring an action against them, and wanted to know what attorney would bring it—I recommended him to the attorney who brought the action—after the chain was brought back and returned, they wanted to bring another action against Wood for special damages, and I refused to swear there was any special damage.

JOSEPH THOMAS LAWRENCE. I am shopman to Mr. Barker, a pawnbroker. I do not know either of the prisoners. On the 9th of November last Howes pledged a suit of clothes and a ring with me—he wanted 4*l.* 10*s.* on them, and said he had had 4*l.* on them the week before—I said I could not make them more than he had before—he gave me another ring, and I lent him 4*l.* 10*s.*—they are worth about 43*s.*—these clothes are *riggers* or *duffers*—they are made to shine as they do by extra pressing.

—**SHOWELL.** I am in the service of Mr. Spinks, a pawnbroker. To the best of my belief, Lilly is the man who came to our shop with a pair of table-spoons, which he represented were silver, and a lady's chain, which he represented as gold—he wanted 5*l.* 10*s.* for them, which he had—I think the table-spoons are worth about 1*l.*, and the chain about 30*s.*—I do not know Howes.

Cross-examined by MR. CHAMBERS. Q. How can you judge of the worth? A. Because Mr. Simmonds got it assayed—we tried the usual test, but it is made up for the express purpose of standing the test—if this were genuine gold it would sell for about 8*l.*, I think.

JOHN HATTON re-examined. I should think this chain is a very poor gold gilt—if the gold is 28*s.* gold, aquafortis will not act on it—I can

ascertain the value by weighing it in my hand—I have now tried it—the cross-bars are metal, not gold at all—I suppose this chain would melt to turn out about 28s. an ounce—it weighs about two ounces—it is gilt.

Cross-examined by Mr. CHAMBERS. Q. How much is there for fashion?
A. About 18s. that pattern when they first came out; now it is about 12s.
(The prisoners received good characters.)

T. W. LILLY, *alias Wilson*—GUILTY. } Confined Eighteen Months.
T. LILLY—GUILTY. }

NEW COURT.—*Tuesday, October 29th, 1840.*

Sixth Jury, before Mr. Sergeant Arabin.

2645. CHRISTOPHER CALLAR was indicted for assaulting Frances Elizabeth Watling, with intent, &c.

GUILTY. Aged 22.—Confined Eighteen Months.

2646. PHILIP ISAACS was indicted of a common assault; to which he pleaded

GUILTY. To enter into his own recognizances to appear for judgment when called upon

2647. JAMES TIBBENHAM was indicted for assaulting Thomas Taylor; to which he pleaded

GUILTY. Aged 28.—Confined Three Months.—(*See page 913.*)

2648. GEORGE BARTON was indicted for assaulting Amelia Ann Nutt, with intent, &c.

NOT GUILTY.

2649. ROBERT HEDGES was indicted for assaulting Elizabeth Be sely, with intent, &c.

GUILTY. Aged 50.—Confined Eighteen Months.

2650. MARGARET SLATER was indicted for a misdemeanor.

MR. CLARKSON conducted the Prosecution.

JAMES QUINN. I am a shoemaker, and live in Christopher-square, Long-alley. In July or August, 1839, the prisoner took a furnished room with her husband, at my house—she owed me 2l. 5s. 10d.—before she left she came to my room, and began crying, she said “I am come to give you recompense for what I owe you”—she said, “You are the best friend that I have, and pray take them”—she said she was sorry she was not able to give me the money for the rent, and she would give me these duplicates, which was all she could give—there were nine tickets—at first I refused them, and she pressed me to take them—I returned her one, which was a 5s. ticket—one of the eight tickets was for two gowns, a shawl, and handkerchief—about a fortnight after she left the house, she came after that twice, to demand the tickets—I refused them, as she brought no money—on the 4th of July I went to Mr. Sayer’s in Drury-lane to get the goods—they told me they had been taken out on the Tuesday before—I went in search of the prisoner and found her in September in Mr. Luff’s shop in Crown-street—when I received the eight tickets, the prisoner’s husband counted them out of her hand into mine.

RICHARD SAYER. I am servant to James Sayer, a pawnbroker, in Drury-lane. On the 5th of July, 1839, I took in two gowns, a shawl, and

handkerchief of the prisoner—I advanced a sovereign on them—on the 30th of June, this year, she came and represented she had lost the duplicate, and wished to have a declaration—this is the duplicate (*looking at it*, she received on pawning—she did not say any thing about having sold or transferred it—I gave her the declaration—when pledgers have lost a ticket, a declaration is given to the person, to enable them to get the goods on paying the money and interest—they are not sworn—the prisoner made this declaration, and put her mark to it—I gave it her in consequence of her having said she lost the ticket, and when the declaration was signed by the Magistrate, I gave her the goods, on her paying the money—I would not have given her the declaration if she had not told me she had lost the duplicate—on the 4th of July, Quinn came and asked for the goods—I showed him the declaration.

Prisoner's Defence. I had nothing to go to service—I left the tickets in care of my husband, and did not know where they were.

(The prisoner received a good character.)

GUILTY. Aged 30.—Confined Two Months.

2651. HENRY STEPHENS was indicted for a misdemeanor.

Mr. CLARKSON conducted the Prosecution.

MARY CHAPMAN. I am the wife of James Chapman, a cabinet-maker, in John-street, Holywell Mount. On the 11th of July, the prisoner came to look at the room I had to let—he then said he wanted to see my husband, who was not at home—he went away, and came again in a quarter of an hour—my husband was then at home—he took my husband away to carry a tool-chest for him—he said he was a carpenter—my husband went with him—in a quarter of an hour the prisoner came to me again—I said, “I was surprised to see him back so soon”—he said he left my husband tying the boxes up, and that my husband had sent him to ask me for all the money I had got—all the money I could muster was 3s. 6d.—I gave him that—I should not have given it to him if he had not said my husband had sent him for it—I gave him two shillings, a sixpence, twelve halfpence, and twenty-four farthings.

JAMES CHAPMAN. I am the husband of Mary Chapman. When I came in the prisoner called—he said he was the person come to take the lodging—he asked me if I would go and help him carry his chest as far as the George public-house in Shoreditch—I went with him, and in going down Holywell-lane he said, “Stop, I have forgotten, I must go to my *mate* and fetch a basket”—he left, and told me he should be back in two or three minutes—he did not return—I did not authorise him to go to my wife to get what money she had—I would not have lent him any money—I saw him again last Thursday morning at Hoxton—I followed him to Booth-street, Charlotte-street—he then turned and faced me, and I gave him in charge.

GUILTY. Aged 29.—Confined Three Months.

2652. JOHN RICHARD SMITH was indicted for a conspiracy.

NOT GUILTY.

ESSEX CASES.

Before Mr. Sergeant Arabin.

2653. THOMAS WILLIAM BEASMORE was indicted for stealing, on the 1st of October, 3 pigs, value 8l., the property of John Wallis.

HENRY WALLIS. I live with my father, John Wallis, a butcher, at Chadwell Heath, Dagenham, in Essex. On the 1st of October I went with a load of wood to Barking, and when I returned my father's pigs were missing—I found the prisoner with them about three miles and a half from my father's, in Little Ilford parish—he was a stranger—I asked if the pigs belonged to him—he said he was minding them for a man who was to give him a pint of beer—I said, I must take him—he said, "What for? come along with me, and I will show you the man"—I brought him a short distance, and when we got opposite the Rabbits public-house he got into a field and ran—I called to a man who stopped him—he said he ran because I had been beating him with a stick, which I had not.

Cross-examined by MR. CHAMBERS. Q. Had you a stick? A. I had a small stick that I was riding with—the pigs were three or four rods from him when I first saw him.

JOHN WALLIS, JUN. I am the prosecutor's son. I was working near the Seven Kings public-house on the 1st of October, and saw the prisoner come along with the three pigs—I said, "Where did you get these pigs?"—he said, "My master bought them yesterday at Romford, and sent me down to Romford for them to-day"—I told him they were very much like my father's, and asked where he was going to take them—he said to Ilford—I said there was no pork-butcher there—he then said he was going to take them to a public-house there—I helped him across the road with them, and he said, "My master is behind, and he will give you a gallon of beer for helping me."

Cross-examined. Q. Did not he say, "My master bought them yesterday at Romford, and I am going to take them to the Coach and Horses?" A. Yes; but he said he had been down to Romford—he had a blue apron on—I do not know that pig-jobbers employ any body they meet to drive pigs—I have been to Romford market, and seen boys stand about for employ.

WILLIAM FRY. I live at Ilford, and am a labourer. I keep a horse and cart. On the 1st of October the prisoner came to me between two and three o'clock—he said, "Who is young Fry?"—I said, "I am"—he said, "Some one sent me here to ask if you will carry these pigs to White-chapel for me"—I said, "I can't, I have got my stuff to take in; why don't you take them to the Rabbits?"—he said, "I can't get them up by dark," and said, "If I get them there, my master will fetch them in his cart."

Cross-examined. Q. Did he say who sent him? A. No—I did not ask him.

WILLIAM LARWOOD (*police-constable K 214.*) I was on duty on the 1st of October, and received the prisoner in custody. He said a man gave him a pint of beer to drive the pigs, and he had run away because Henry Wallis had struck him across the head with a stick.

JOHN WALLIS. These were my pigs. I saw them in my yard about ten o'clock in the forenoon.

MR. CHAMBERS called

RICHARD TAYLOR. I live in Lemon-court, Old Nicholl-street, Shore-ditch, and deal in canary birds. I went to Romford to buy some canaries of some breeders—I saw a boy on the road—he had a black jacket and a cap on—I do not recollect that he had an apron—I saw a man with a fustian coat on, who called to the boy in a blustering manner, "Drive the

pigs down the road, and I will come after you"—I saw the pigs, and to the best of my knowledge there were three, and one of them was black and white—I think the man was forty or fifty years old—I do not know the boy—I saw about this in the Morning Advertiser, and then I said what I knew to my family, and a person fetched me to-day—I know nothing of the parties.

NOT GUILTY.

2654. SARAH WRIGHT, and SARAH WRIGHT the younger, were indicted for stealing, on the 2nd of October, 46 yards of flannel, value 2*l.* 10*s.*, the goods of Edwin Carter.

The witnesses did not appear.

NOT GUILTY.

KENT CASES.

Before Mr. Sergeant Arabin.

2655. RALPH FORD was indicted for stealing, on the 30th of September, at Woolwich, 1 miniature and frame, value 5*l.*; 1 pencil-case, value 3*s.*; 1 vinegarette, value 2*s.*; 1 ring, value 5*s.*; 1 necklace, value 2*s.*; 1 stiletto, value 1*s.*; 1 bottle, value 1*d.*; 1 pincushion, value 2*d.*; 1 yard of ribbon, value 3*d.*; 1 purse, value 4*d.*; 1 shirt, value 6*d.*; and 8 pieces of foreign coin, value 3*s.*; the property of Edmund Foster, in his dwelling-house; to which he pleaded

GUILTY. Aged 38.—Confined Six Months.

Before Mr. Justice Erskine.

2656. WILLIAM DOUGHTY and WILLIAM COLE were indicted for stealing, on the 20th of August, 1 watch, value 3*l.*; 1 watch-chain, value 9*d.*; and 1 watch-guard, value 1*s.* 6*d.*; the goods of James Leslie.

JAMES LESLIE. I am a shoemaker, and lodge at Deptford—the prisoner Doughty is an engineer and rents a room next door to me. On the morning of the 20th of August he came to my room with the prisoner Cole and a man named Norman—they called me out of my room—I went down, and they asked me up into Doughty's room to have a glass of ale—I went and had about two glasses—while I was drinking, Doughty left the room for about ten minutes, leaving Cole and Norman in the room with me, and I believe Doughty's wife—Doughty came back, and I returned to my room about ten minutes or a quarter of an hour after he came back—I was not absent more than half an hour altogether—I had left nobody in my room—I left the door on the latch—it is on the first floor—when I got back, as soon as I opened the door, I missed my silver watch with a German silver guard-chain, and a common key—I had left it hanging on a nail where I generally do—Doughty had been in my room several times, and had been there the morning before—the watch then hung on the same nail—any body in the room could see it—Cole lives in King-street, about thirty or forty doors from me—he was never in my room—Doughty did not come into my room when he called me—he was down below—I saw the watch again on the 16th of September, and the chain, in the possession of a person named Statham, in the Waterloo-road—the maker's name is Williams, No. 3937.

Cross-examined by MR. BALLANTINE. Q. You have been acquainted with Doughty some time? A. Yes, nearly twenty years—it was not unusual for him to come and see me—we often drank with each other—I had taken the watch out of pawn three weeks before it was stolen, but I

bought it long before—the nail it hung on was near the window where I work—I put it there at six o'clock that morning, and when I came out of the room I noticed it particularly—I know nobody had been in my room after I got up—I am single, and have no one in the room but myself—I have only one room—there are five rooms in the house, and four lodgers, I believe—they are family men, I believe—it was between seven and eight o'clock when I went out with Doughty—I got up at six o'clock to work—I worked in my room up to that time, and never unlocked my door till I was called out.

WILLIAM STATHAM. I am a licensed hawker, and live in Webber-street. On the 23rd of August I met Cole and another man who I did not know—it was not Doughty—I saw them at the Hop-pole beer-shop, in the Waterloo-road—there were three of them—a traveller named Hunter came to me as I was sitting outside the door, and said, “Will you buy the ticket of a watch?”—I said, “I don't know, I have got one, and don't want one”—Cole was there, but said nothing—Norman gave me the ticket, but Cole received the money—I considered them both as one—they asked me 7s. for it—I gave 6s.—I gave it to my wife, and she took it out of pawn on the 21st of August—it was a plain silver watch, and a guard-chain attached to it—I have since sold it for 28s. to a stranger—I gave the chain to Evans, the policeman.

Cross-examined. Q. Did you go to him to give it him? A. No, he came to me—he asked me about a watch—I told him about the watch, and gave him the chain—I cannot tell whether it is worth 6d.—I bought the watch at the recommendation of Hunter, who I knew well—he is a hawker—I do not know whether he has a license—I have known him for a year and a half—I have been in his company many times—I am not in the habit of associating with him—he lives somewhere in Walworth, but he travels a good deal about Deptford and there.

Cole. Q. Did you ever see the watch in my possession? A. No, nor the duplicate—Hunter told me the duplicate belonged to Norman—you received the money—you took it off the counter—I saw you about three weeks after, going down the Kent-road—we were by the broker's shop, and I said, “That is where my wife fetched the watch from”—you said, “I know that shop very well, that is the shop Doughty came out of, and gave me the ticket.”

CHARLOTTE STATHAM. On the 24th of August I went for my husband to the pawnbroker's with a ticket, and paid 1l. 0s. 4d. for a watch, which the pawnbroker delivered to me—I gave it to my husband as I received it—it was a plain silver watch with a gilt chain to it—this is the chain—*(looking at it.)*

JOHN EVANS (police-constable R 190.) I got this chain and key from William Statham—they have been in my possession ever since—I apprehended Doughty, on the 16th of September, at Deptford—I told him I wanted him for Leslie's watch—the prosecutor was present, and gave him into custody—Doughty took him by the arm, and said, “Jem, I hope you will not hurt me, I will pay you for your lost time, and will make it all right with you,”—neither I or Leslie had made him any promise—I afterwards took up Cole the same day—I told him what he was charged with—he said he was perfectly innocent of the robbery, that Doughty stole the watch, and gave him the ticket—he said he did not know he had the watch until after he returned from the pawnbroker's—he then gave him the ticket, and told him to take care of it, and they returned home.

Cross-examined. Q. Had Doughty been taken before the 16th of September? A. He had, and was discharged about a fortnight or three weeks before—I met him on the 16th coming from his work—he works for a gentleman named Gordon—Leslie and a young man named Brien were with me—I did not write down the words Doughty used, but I recollect them perfectly well—I will swear they were the exact words, word for word—I cannot say what was said immediately before that or immediately after—there was some altercation all the way to the station-house—he was endeavouring to prevail on the prosecutor to compromise the felony—the prosecutor said, “No, I shall not do any thing of the kind, you had time to consider of this before, and it is too late now, you are in custody”—I understand Norman was taken and discharged.

WILLIAM SMITH (*police-constable R 49.*) I met the witness Statham in the Kent-road, and took him into custody—I brought him down with the prisoners—I heard Statham say that was the shop that his wife fetched the watch out of—Cole said, “I did not pawn the watch, Doughty pawned it, and came over the road and gave me the ticket to take care of, and I had not proceeded far before Norman took the ticket from me.”

Cole. You were very drunk at the time, walking in the road and singing. Witness. I was not.

THOMAS FOOTE WARR. I am a licensed writer in the Excise; in August last I was assistant to Mr. Horwood, a pawnbroker. On the 20th of August I took in a watch and chain for 1*l.* of a man—I have no recollection of the articles—they are specified on the ticket, which is all I go by—this is the counterpart of the ticket which I gave to the person pledging them—I have the other here—I do not know the party who pledged them—I should not know him if I were to see him—the watch was redeemed on the Monday following—I cannot say whether I was the person that delivered it out—we usually deliver between 400 and 500 pledges on a Monday, and there were five others in the shop—I have no recollection of Mr. Statham's coming to the shop.

PATIENCE FRANCIS. I am the daughter of John Francis, in Old King-street, Deptford—Leslie lives in the next room to us—our doors are opposite each other. On Thursday, the 20th of August, between seven and eight o'clock in the morning, I saw a person dressed in baragan jacket and trowsers, as Doughty now is, go up, and go into Leslie's room—I did not see the person's face—I cannot swear who the man was—he opened the door, and looked in for two or three minutes, and then went in, and shut the door after him—I did not see where he came from, whether from up or down stairs—I did not see him come out again.

Cross-examined. Q. Where were you at the time you saw the man go in? A. Coming up stairs behind the man as he was going up stairs—I made a mistake when I said I did not know whether he came from up or down stairs—I am single, and live with my father and mother—my mother was at home at the time—I was close to the person I followed up stairs, within a stair or two of him—I did not hear of the robbery till next day—I then heard Doughty mentioned as being the person who had done it and on that I said I saw a man like Doughty go into the room—I stood at our door till the man went in, and shut the door.

JAMES LESLIE *re-examined.* This is my chain, and the one that was attached to my watch on the 20th of August.

NOT GUILTY.

Before Mr. Sergeant Arabin.

2657. GEORGE EVES was indicted for stealing, on the 16th of May, 2 shirts, value 5s.; 1 pair of shoes, value 3s.; 1 snuff-box, value 3d.; and 1 handkerchief, value 3d.; the goods of John Randall.

JOHN RANDALL. I live at Greenwich; the prisoner lodged with me two nights. On Saturday, the 16th of May, I got up at half-past five o'clock in the morning, and went into the lower floor where he slept—he was then in bed—I came down again in half-an-hour, he was then gone, and I missed all the articles stated—I looked for him, and fell in with him last Friday—I taxed him with it—he told me he knew nothing about it—he said he was at work on the Greenwich pier when with me—I have not found any of my property.

JOHN WALKER. I am a policeman. I was on duty on the 16th of May, and at a quarter before six o'clock I saw the prisoner come out of the prosecutor's house with a bundle tied up in a blue handkerchief, and go towards Woolwich—the prosecutor afterwards spoke to me, and I went in pursuit of him to Greenwich fair, but could not find him.

Prisoner's Defence. I had nothing with me—I never saw the policeman—when I came out I left the door on the latch.

GUILTY. Aged 52.—Confined Three Months.

2658. JOHN PAYNE was indicted for stealing, on the 1st of October, 1 horse-cloth, value 6s., the goods of Charles Castell.

CHARLES CASTELL. I am a lead-merchant. On the 1st of October I was at the Angel inn, Lewisham, with my horse and cart—the horse-cloth was in the cart—I staid at the inn about ten minutes—I saw the prisoner near the side of the horse—when I came out the horse-cloth was gone—I took very little notice about it, thinking it might have been taken into the house, and drove on.

JAMES CREW. I live at Lewisham. I saw the prisoner standing by the side of the cart while the prosecutor was inside the house—he had hold of the reins—Mr. Deacon, the landlord, said, “What do you do standing aside of the horses' head?—leave go of those reins”—the prisoner laughed, called him a bad name, and turned away—I went into the parlour.

Prisoner. I held the horse by the head a little while, being an old stable man myself.

JOHN CARDY. I am a policeman. I saw the prisoner lurking about the horse and cart, leaning over the pales looking into the yard—I knew him to be a stranger, and had suspicion, and in a quarter of an hour I saw him coming up the hill, about two hundred yards from the house, with something under his arm—I concealed myself underneath the palings, and then asked what he had got—he said he did not know whether it was a horse-cloth or a great-coat—I told him if I had got it in my possession I should know what it was—he then opened it, and said it was a horse-cloth—I asked him how he came by it—he said he had picked it up—I took it back to the Angel, found it had been lost, and took him to the station-house.

Prisoner's Defence. I picked it up about one hundred yards from the public-house door.

GUILTY. Aged 52.—Confined Three Months.

Before Mr. Recorder.

2659. JAMES HADLEY was indicted for stealing, on the 30th of September, 10 bottles, value 1s.; and 2 pints of Eau de Cologne, value 30s.; the goods of Nicholas Famandio.

NICHOLAS FAMANDIO. I am steward of the *Greyhound* barque of New-castle. On the 30th of September I was with it at Deptford—the prisoner came on board to ask if I had any thing to sell—I said, “No”—he asked me two or three times—I then said, “I have got something from the Mauritius to take home”—he told me to show it to him, and he would give a good price—I showed him a bottle of Eau de Cologne—he offered me 2s. 6d. a bottle—I said if he could give me 3s. a bottle he should have it—he said he was willing to give 3s.—he had no money to pay on board, and so I had better come on shore, and he would give me the money—I let him take it home, and sent my two men with him to receive the money as I could not go myself—he took the things himself—I let him go with them—it was to be paid for afterwards—he said his mother and father would pay the money when he got home—he said he would send back the money by the men—I said, “If he does not give you the money, you can bring it back”—the prisoner heard that.

Cross-examined by MR. DOANE. Q. Had the Custom-house officer been on board? A. Yes—I know nothing about the duty—the man did not come for it—I kept it in my chest.

CHARLES REVEIRA. I am a sailor in the *Greyhound*. The prisoner came on board and said, “Have you got anything to sell?”—the steward said, “No”—he said at last, “Show me if you have anything”—he said, “I have something which I brought from the Isle of France, if I get a good price I will sell it”—he fetched the Eau de Cologne—he said, “How much do you want?”—he said, “2s. 6d.”—the steward said, “I will not let it go for less than 3s.,” and he said, “Very good”—he said to the steward, “Send your man with me for the money,” and he sent me and another man—he took me to a public-house, and made me sit down in a corner, to drink—he said, “Drink this beer, my mother and father live here; just you wait awhile, I am going up-stairs to get the money from them”—I said, “Very good”—he went away with the things and did not come back—I found he did not live there, nor his father and mother—I saw no more of him, and was obliged to pay for the beer myself—the steward had told me if I did not get the money, to bring back the Eau de Cologne—I went with the prisoner to bring back the goods, unless he paid for them.

Cross-examined. Q. Had you got the Eau de Cologne at the public-house? A. No, he had got it himself on board the vessel—my other ship-mate was with me at the public-house—I went on board again in about an hour, as the prisoner did not return.

ALLEN PIPE. I am a policeman. I took the prisoner into custody on the 11th of October, charged with stealing ten bottles of Eau de Cologne—he said he knew nothing about it, and had never been on board the *Greyhound*—when he got to the station-house he admitted that he did have it, and said they allowed him to go away to fetch the money for it.

GUILTY. Aged 15.—Confined Twelve Months.

Before Mr. Sergeant Arabin.

2660. MARGARET MILLER was indicted for stealing, on the 23rd of September, 3lbs. weight of ham, value 2s. 6d., the property of John Bayley.

GEORGE WELLDEN. I am in the service of Mr. John Bayley, a cheesemonger, at Woolwich. On the 23rd of September, the prisoner came for twopenny worth of bacon—I saw a piece of ham under her arm—I charged her

with stealing it—she denied it—I said she had, and she then put it down—there were 3lbs. of it.

Cross-examined by MR. BALLANTINE. Q. Where was she? A. In the shop—I told her to put the piece of ham down that she had under her arm—she said, “Ham? I have got no ham?”—it was apparently concealed.

WILLIAM ELLIS. I am in the employ of Mr. Bayley. I was directed by him to go to the prisoner's house about a piece of ham that she had taken the previous evening—she said, “My God, what shall I do?”—she came with me to the shop, and was taken.

GUILTY. Aged 36.—*Recommended to mercy.*—Confined Six Days.

Before Mr. Common Sergeant.

2661. CHARLES TYE, HENRY SUTER, and CHARLES JOHN PHILLPOTT, were indicted for stealing, on the 13th of October, 600lbs. weight of coals, value 9s., the goods of Thomas Armstrong and another.

THOMAS FINN. I am weigher to Armstrong and another, who are coal-merchants, at Greenwich—Suter was their carman. In consequence of directions I received, I went to Mrs. Butcher's on Wednesday last, to re-weigh the coals that were sent there the day before by Mr. Armstrong—I found 34 cwt., or 17 sacks out of two tons, which is twenty sacks, there were three sacks short—I saw the wagon go out the day before, and there were then two tons, or twenty sacks, in it.

HANNAH BUTCHER. I am the wife of Samuel James Butcher, a purser in the navy. I ordered two tons of coals of the prosecutor—they arrived about six o'clock in the evening—Suter was carman, and Tye was with him—in consequence of information, I and my daughter watched—the first sack was brought in by Suter—the second by Tye—he observed to me that the coals were very dusty—I said, “I must be prepared to receive them,” as they were brought so late—Tye was absent from the back premises some time—Suter continued—after some time Tye came back, and assisted Suter in carrying two or three sacks—then he was absent some time, and then he brought in the seventeenth sack, and Suter brought the last sack—there were only eighteen delivered.

HANNAH MARIA BUTCHER. I saw two sacks of coals taken from the wagon—the first by Tye, the second, I think, by Phillpott, but I am not certain Phillpott was there—they were all three together—Phillpott and Tye appeared to be acting together, but not Suter—Suter was taking the coals into the house.

WILLIAM PIERCE (*police-constable R 78.*) On Tuesday, the 13th of October, about a quarter to seven o'clock, I saw Phillpott and Tye come from towards where Phillpott lived—Tye had something under his arm—when I came down to the wagon I saw Phillpott at the back of the wagon, taking a sack of coals—I expected he was assisting to take the coals in—I do not know where he took the sack to.

(Tye received a good character.)

TYE—**GUILTY.** Aged 22. } *Recommended to mercy.*—Confined

SUTER—**GUILTY.** Aged 40. } Three Months.

PHILLPOTT—**NOT GUILTY.**

Before Mr. Sergeant Arabin.

2662. SARAH HUGHES was indicted for stealing, on the 14th of September, 1 sheet, value 2s., the goods of Louisa Jackson; and that she had been before convicted of felony.

LOUISA JACKSON. I live in Dowling-street, Deptford. I let the prisoner a room—she occupied it for about two months—she was to pay 3s. a week—she went away without notice, and owed me 6s. 6d.—after she was gone I missed the sheet, which had been let to her with the lodging—this is it—(*looking at one.*)

THOMAS JONES CAVANNAH. I am in the service of a pawnbroker. I received this sheet from a female, who I believe was the prisoner.

BENJAMIN LOVELL. I am a sergeant of police. I received information of this robbery, on the 24th of September—I went to Greenwich, and found the prisoner—I told her she must go with me about this sheet—she said, “If Mrs. Jackson does any thing to me, I will do a little something for her”—there was another woman who lived with the prisoner, and I said, “You had better both go”—the prisoner said, “She knows nothing about it, I pledged it myself.”

JOHN STEWART (*police-constable R 35.*) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 23.—Transported for Seven Years.

2663. WILLIAM WALKER and WILLIAM HUTCHINSON were indicted for stealing, on the 8th of October, 1 half-crown, the monies of Henry Harding.

JAMES JOHNSON. I live at Woolwich, and am a labourer, in the service of Messrs. Grissel and Peto. On the 8th of October, about twenty minutes after ten o'clock in the forenoon, I saw the prisoners with another person—I heard Walker say to the third one, “I had my hand in the till, and this b— moved, (meaning Hutchinson) and I had to come out”—I called to my mate, who was a-head of me, and said, “*Bill*, I don't think these chaps are up to any good”—the two prisoners then went into the prosecutor's shop, and the third one went away.

WILLIAM GREEN. I am a labourer to Messrs. Grissel and Peto. From what James Johnson told me, I went into the prosecutor's shop, and saw Walker kneeling on the counter with the till three parts out—Hutchinson was standing close to the counter—neither the prosecutor nor any of his servants were in the shop—I took hold of Walker, and pulled him down—he dropped some money into the till, and half-a-crown on the floor—I secured both the prisoners, and sent for a policeman—the half-crown was picked up, and I marked it.

HENRY HARDING. I am master of the shop. I was about 100 yards from the door, on the other side of the road when this happened—my wife was not in the shop—the policeman told me the boys had robbed my till, and I went and found the prisoners in custody at Greenwich—my till had been safe in its place when I went out—there was about 30s. in silver in it, and several half-crowns—the prisoners said they would not have done it, but they were hungry.

Walker's Defence. The half-crown was put into the till again—they took it out again in two minutes to mark it, and they could not tell which it was—the woman said, “I think this was it.”

(Walker received a good character.)

WALKER—GUILTY. Aged 13.—Confined Three Months and Whipped.

HUTCHINSON*—GUILTY. Aged 13.—Transported for Seven Years. Convict Ship.

Before Mr. Common Sergeant.

2664. EDWARD PATTERSON was indicted for stealing, on the 8th of June, 1 pair of breeches, value 10s., the goods of Robert Swanfield.

ROBERT SWANFIELD. I live at Eltham. On the 8th of June I hung my breeches to dry, in an enclosed drying-ground—I lost them—these are them—(looking at them.)

HENRY SANDERS (*police-constable R 36.*) I got these breeches from Moore and Burt, pawnbrokers at Woolwich, but they are not bound over, as they could not identify the prisoner—I found on him some duplicates, one of which is for these breeches.

NOT GUILTY.

SURREY CASES.

Before Mr. Recorder.

2665. FREDERICK SMITH was indicted for stealing 1 half-crown, the money of William Terry, his master; to which he pleaded

GUILTY. Aged 20.—Confined Two Months.

(The prisoner received a good character.)

2666. WILLIAM RANSLEY was indicted for stealing, on the 14th of July, 1 gelding, value 30*l.*; 1 cart, value 7*l.*; 1 horse-collar, value 3*s.*; 1 pair of hames, value 4*s.*; 1 pair of traces, value 4*s.*; 1 saddle, value 4*s.*; 1 breechen, value 3*s.*; and 1 pair of reins, value 1*s.* 6*d.*; the goods of Edward Strouts: and that he had been before convicted of felony.

MR. PAYNE conducted the Prosecution.

EDWARD STROUTS. I am a farmer living at Kingsdown, near Sittingbourne. On the 14th of July I had a gelding, a cart, and a set of harness—when I came home, about six o'clock in the evening, I saw the gelding put into the stable, and the cart into the chaise-house—part of the harness was in the stable—next morning it was all gone—I have since received the gelding from Mr. Thoroughgood, at the Blue-boar, public-house, Aldgate, and the cart and harness from Bennett, in Wandsworth—the horse was shown to Roff, in my presence—the value of the whole is about 38*l.*—I do not know the prisoner.

Cross-examined by MR. JONES. Q. How far do you live from London? A. About forty-five miles, on the other side of Sittingbourne, between there and Feversham, out of the high-road—I know the gelding by a little white on the leg, and it has a rather peculiar sort of head—it is a little of the French horse, more chubby.

JOHN ROFF. I am servant at the White Horse, Brixton-road; I know the prisoner by sight. On the 15th of July he came, driving a horse and cart, to the White Horse at Brixton, about noon—it looked as if it had been driven a long way, it was all in a sweat, but was getting cool—he called for the ostler, I attended to him—he told me to take the horse out, and take the sweat off—I said I would put him into the stable—he said he did not wish him to be in the stable, as he was going to show him to a gentleman—I began to clean him, and another young man finished it—the prisoner said the horse and cart was for sale, and asked what I thought it was worth—I said I could not tell him any thing about it—he said he could sell the lot, he thought, for about 18*l.*—I asked why he wanted to sell it—he said his master had got two horses,

but had not work enough to keep two—I have since seen the horse, in the presence of the prosecutor—it is the same horse—the prisoner rode it out of the yard—he asked me to take care of the harness and cart till next day, till he came back—he came back next day, but did not bring the horse—I asked if he had sold it—he said, “Partly sold it”—Bennett was with him—they went into the yard, and began to deal for the cart—Bennett had bought the harness for 7s. 6d.—they went away together with the cart.

Cross-examined. Q. How long had you lived at the White Horse?

A. Between six and seven years—I have lived there six years, without intermission—I was away eleven months five years ago—I lived at Kensington then seven months, and left there and went to Croydon to live—I was all that eleven months in service, and not any where else—I have never been in any sort of trouble—I was called on to identify the prisoner, at Park-place, Walworth, about two months after he brought the horse and cart—the only time I saw him was when he brought the horse and cart, and came the next day—he was about three quarters of an hour with me the first day, in the yard all the time, and not in the house at all—the second time he was about three or four hours there, but not in my sight all the time—he was on the premises, and in my sight, between two and three hours—I was backwards and forwards—he had a blue coat on both times—he was dressed different at Walworth—I saw him at the station-house—there were other persons there—he had a brown great-coat on—he was brought out, and I was asked to look at him—I was asked if he was the man, I said, “Yes,” at once—I did not say so the moment I saw him, but five or ten minutes after, at I was not asked before—I did not at first say I doubted whether he was the man, nor that he was not high enough for the man, nor that he was shorter than the man—I had not the least doubt of him—he was brought out, and went under the standard to be measured, and I stood by—as soon as I was asked if he was the man, I said, “Yes”—I never expressed the least doubt of his being the man, I have not the least doubt of him.

THOMAS CORDWELL. I am a labourer. I was at Brixton on the 15th of July, and remember seeing the horse and chaise-cart—the prisoner is the man who brought them—I saw him at first drive over the White Horse bridge, and into the stable-yard—I assisted in cleaning the horse, and helped him up on the horse when he went away on the 15th—I was present next day when he and Bennett came—the cart and harness was sold to Bennett, who took them away—the prisoner went with him.

Cross-examined. Q. Had you ever seen the prisoner before? A. Never, he was in the stable-yard the first day, for about half an hour—he stood by while I cleaned the horse—I was at the station-house at Woolwich—the ostler asked me to go—I saw the prisoner as he came out into the street from the lock-up place, and was asked to look at him and said, “He is the man”—I was quite positive, I never said that he was not tall enough—I did not hear Rolf say that he was not tall enough, nor any thing of the kind—I am occasionally employed at the White Horse—Hayne, the inspector, asked me if I should know the man again at Union Hall, but not since—I have not been with him a good deal lately.

WILLIAM SMITH. I am a stableman, in Cranmer-road, Lambeth. I went to the Swan public-house, near Kennington, on a Wednesday, about the middle of July, and saw the prisoner there with a black horse, which I have since seen in the possession of Thoroughgood and Strouts—the pri-

soner told me he wanted the horse taken to St. Martin's-lane, to the Repository, and would I take it, he would give me 1s., and 4d. to pay the gates—I took it, and delivered it to Smith, the foreman of the yard.

Cross-examined. Q. Did you ever see the prisoner before? A. No, I was not more than five minutes with him—he had a blue coat with metal buttons—I went to the station-house to identify him—the police told me to go—they brought him out of a lock-up place, and asked me if I knew the man—I did not say he was not high enough—I said directly, “He is the man”—when he came out of the cell, his hat was down over his eyes very much—they turned it up, and I had a full view of his face—I expressed no doubt of him when he was brought out—I did not ask him to put his hat higher up—the inspector turned it up, and then put it down again—Roff was there, and not Cordwell—I did not see the prisoner put to the standard—I did not hear any body say he was not high enough for the man—the inspector told him to hold his head up when he pulled his hat up—I did not hear any body express a doubt of him.

WILLIAM SMITH. I am servant at the Repository in St. Martin's-lane. I have seen a gelding in the possession of the prosecutor—I had seen it on the 15th of July—I had it from the last witness—it was sold that day—I swear it is the same gelding.

JAMES BENNETT. I am a wheelwright, and live in Wandsworth-road. On Thursday, the 16th of July, I saw the prisoner at a beer-shop near my shop, waiting there for me to come home—he was dressed in a blue coat and white buttons—I have not a doubt of his being the man—I have since seen him at Union Hall, and picked him out from the crowd—he had a dirty smock-frock on then—on the 16th of July he asked me if I would buy a cart—I said I would rather sell him one—I went with him to the White Horse public-house, Brixton, and saw the ostler—he showed me the cart and harness there—I have since seen it in the possession of Strouts.

Cross-examined. Q. I suppose you would not buy a cart without getting a bargain? A. Yes, I make carts and let them out—I bought it of him for 35s.—I offered to take a crown for my bargain directly—I gave 7s. 6d. for the harness—I do not know what it was worth—it was not fit to put on a horse, it was so shabby—Strouts values his cart at 8l., but I should like to make him a new one for the money—I had never seen the prisoner before—we had some beer together, with the ostler and his mate—I suppose I was about three hours with him—I saw nobody with him—I have given up the cart and harness.

JOHN HAYNES. I am an inspector of police. On the 14th of September, I took the prisoner into custody, at the Cross Keys public-house, at the foot of Blackfriars Bridge, in the parish of Christ Church, Surrey—Brixton is in the parish of Lambeth.

Cross-examined. Q. Do you remember Roff, Cordwell, and Smith coming to the station-house? A. Yes, the superintendent sent for them—I measured the man—I told him to hold his head up—I never heard any body say he was not high enough—that I swear—we generally tell them to hold up their head when we measure them, if they hold it down—I think I did tell him to hold his head up—I have very little doubt of it—Roff and Smith were present, looking at him—I remember putting his hat higher on his head—none of the witnesses expressed a doubt of him—two persons came to look at him concerning another charge, and they said

he was not that man—I will not swear I did not tell any body to look at him again—to the best of my belief I did not say to Smith, “Look at him again.”

SAMUEL TOLER. I am high-constable of Worthing, Sussex. I have a certificate, which I got from the office of Mr. Straight, Clerk of the Arraigns for the Home Circuit—I was present at the trial as a witness—the prisoner is the person who was convicted—I have seen him four or five times since.

ROBERT MARSHALL STRAIGHT, Esq. I am Deputy Clerk of Assize for the Home Circuit; the Hon. Richrad Denman is the clerk. I have, by virtue of my office, the records of the Court—this certificate was made out from the record—the records have been kept in this building for a considerable period—I know of no other place of deposit—(*read.*)

GUILTY. Aged 33.—Transported for Fifteen Years.

2667. **CHRISTOPHER JOHANN FREDERICKE AUGUSTE STRUVE** was indicted for burglariously breaking and entering the dwelling-house of William Hooper, about twelve o'clock in the night of the 12th of September, at Lambeth, with intent to steal, and stealing therein, 1 bread-basket, value 1s.; 1 towel, value 1s.; 1 plate, value 1d.; 1½lb. weight of candles, value 3d.; 1 quart of apples, value 4d.; and ¼lb. weigh, of butter, value 6d.; his property.

ELIZABETH M'LEOD. I am cook to Mr. William Hooper, of Frederick-place, Brixton-hill, in the parish of Lambeth. On the 11th of September, at ten o'clock at night, the pantry was safe, and the window quite shut down—there is a wire-work outside, and iron bars inside—the window opens into the area in front of the house—next morning, between five and six, the policeman called us up—it was before six I am certain—I missed the articles stated, and there was a cheese-pan broken—the pantry door was locked—an arm must have been put through the window—the pantry is part of the house—I am certain the window was shut down at night.

Prisoner. I did not break in—I found the window open—I went down to sleep there, as I could not find my home in the dark—I saw the things set before the window, and put them into my bag.

JAMES BARRETT (*police-constable V 103.*) I found the prisoner down the area of Mr. Earl's house, No. 2, Frederick-place, Brixton-hill, next door to the prosecutor's, between three and four o'clock in the morning—I took him to the station-house, and found these Siberian crabs in his coat pocket, and some skeleton keys in his trowsers pocket—I found this bag, which he claimed as his property, with the other articles lost in it.

Prisoner. Q. Did not you find me leaning on the wall? A. You were concealed behind the window-shutter—I had no lantern—I stood there a short time, and saw him conceal himself behind the window-shutter I had heard a noise a short time before—I asked who was there—he walked out and said, “I am”—I said, “What do you do there?”—he said he was out late and came there to sleep—I found a pair of pinchers on the window-sill, which he said were his—the bag was by the wall of the house—I found Mr. Hooper's pantry window broken open, the wire turned aside, and crab apples strewed about.

ELIZABETH M'LEOD *re-examined.* These are the things that were in the pantry—we lost some Siberian crab apples.

GUILTY. Aged 41.

2668. CHRISTOPHER JOHANN FREDRICKE AUGUSTE STRUVE was again indicted for burglariously breaking and entering the dwelling-house of Elizabeth Grafton Hall Dare, at Streatham, about twelve o'clock in the night of the 11th of September, with intent to steal, and stealing therein, 1 towel, value 1s.; 2½lbs. weight of butter, value 2s.; 1 bell, value 5s.; 1 butter-mould, value 6d.; 1 milk-strainer, value 1d.; 1 dish, value 1d.; 1 jug, value 6d.; 1 plate, value 1d.; and 1 cup, value 6d.; her property.

MARY HAMBY. I am single, and am cook to Mrs. Elizabeth Grafton Hall Dare, widow, of Streatham Common, in the parish of Streatham. On the night of the 11th of September the larder window was open, but there was a wire-guard inside before it, which must be broken to get at any thing—I saw it safe a little after ten o'clock—it opens into the garden—the grating was secured by four large nails—the next morning I went down into the larder before six o'clock, and found the wire pushed quite round behind a milk-pan, to prevent it going back to its place—I missed the articles stated—a person could get through the wire place—he had then opened a door out of the larder, and taken out a white jug, bell, and drinking-horn—I lost a thermometer from outside the window.

Prisoner. I bought these things of a man in the street.

ELEANOR EVANS. I am the wife of John Evans, and live in Church-street, Minories. The prisoner lived with us four weeks and three days, until he was apprehended—the policeman came to me, and I showed him his room—they found this jug, the bell and other articles there—nobody but him could have put them there, as the door was locked—I did not see the articles there till they were found—I had missed him two or three days before that, but did not know he was in custody.

SAMSON DARKIN CAMPBELL. I am a police-inspector, of the V division. On the 15th of September I went with Pitcher to No. 51, Church-street—Evans showed me a room, and I found this towel, with the name of Hall Dare on it, a thermometer, a butter-strainer, two files, a pair of pliers, and some skeleton-keys, some of them unfinished.

THOMAS PITCHER (*police-constable P 167.*) I accompanied Campbell, and found these articles in the room—the prisoner was in custody at the time.

(*Property produced and sworn to.*)

GUILTY. Aged 41.—Transported for Ten Years.

Before Mr. Sergeant Arabin.

2669. THOMAS SCOTT was indicted for embezzling 7s. 6½d., the monies of William Proudfoot, his master; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

Before Mr. Justice Erskine.

2670 JOHN DAVIS was indicted for feloniously killing and slaying Richard Bone.

WILLIAM ROSS. On the 2nd of October, about one o'clock in the morning, I was on my beat, right opposite Christ Church, Blackfriars-road, Surrey, and saw three men going along very disorderly—the prisoner is one of them—I met them opposite the church, walking on the pavement—two men were coming on, arm in arm—the prisoner knocked down one of them, he got up, and I stated to him, “If you wish to give that person in custody for striking you, I will take him to the station-house, for I saw the assault”—he said he should not be able to attend in the

morning, as business would not allow him—I followed the prisoner and the others as far as Edward-street, and then said to them, “If I have any more of this I shall take you down to the station-house,” the prisoner then turned round, and struck me with his right-hand in the chest—I fell, and my hat went into the road—I got up, and saw the three going down Edward-street—I saw my brother officer Wheatley at a short distance—I called to him, and told him to go up the next street—I went up another street, and the three parties met me again, and the prisoner knocked me down—I got up and caught hold of him—he tripped me up, and was down on me—I had him and a man named Rooks upon me—the prisoner got up, kicked me in the right eye, and gave me a black eye—I was springing my rattle, which I took out of my pocket, and Richard Bone came out of his house, and came up to me as I was down on my back—the prisoner was alongside of me at the time, and the other men close by, but neither of them on me at that time—Bone said, “Give me your rattle, and I will spring it for you”—he took it and sprung it with both hands—the prisoner then *cut* away from me, and said to Bone, “You old b——, I’ll stop you from springing that rattle”—I saw him strike Bone with his right-hand on the left side—Bone had done nothing to him—the prisoner kicked him on the right leg, and then he fell, and when he was down he kicked him on the right leg and then on the left side—Wheatley left me with the other prisoner—the prisoner went away from Bone about 100 yards—the other two men were on the spot at the time, one of them scuffling with me and *pitching* into me—Wheatley said, “You take care of the other prisoner, while I go and see what has been done to the old gentleman”—I then heard Bone say his leg was broken—the prisoner had then run away from him about 100 yards—I saw Wheatley leave Bone, and go and take the prisoner into custody—Bone was left with Mrs. Holding—I saw two other constables come up while I had Rooks in custody—Wheatley took the prisoner away—Bone was taken on a stretcher to the hospital—no other person kicked him or struck him but the prisoner—he gave him a slight kick on the leg before he fell—the kick on the leg was a severe one, and the one on the side was rather sharpish—the prisoner had low shoes on, not very thick, but not what you would call a light shoe—I saw no other kick given to Bone—I saw Bone afterwards at the hospital—Mr. Goodwin, the surgeon, attended him—we left him at the hospital—I saw him after he was dead—he died about a fortnight after—the prisoner was not quite sober—he had been drinking—Bone was sixty-five years of age, and was a private watchman.

Prisoner. Q. Was it your duty to take me into custody? A. The person would not give you in custody or I should—you struck me, and ran up Edward-street—you did not all three cross the road—Bone was about fifteen yards from me when you struck him—I stated so before the Coroner—(*the witness's deposition being read, agreed with his evidence*)—you did not strike me at the bottom of Edward-street—I did not take out my staff—Wheatley did—I saw you turn down Edward-street—I went about thirty yards down before I met Wheatley—I found you about half way in Robert-street—I was going to lay hold of you, and you knocked me down—I attempted to take you, but you got away from me, and I went to Bone's assistance—you left me while I was down, when I was on my beat, and walked to Bone—Wheatley was with us, and said, “Good God, he is *pitching* into the old watchman”—when Wheatley came up he went to Rooks—I took Rooks, and Wheatley took you shortly after—there were more constables than us two afterwards—Wheatley left Bone

and ran after you—I should say you were with Bone two or three minutes—you struck him on the right side first—I was on my back at that time with Rooks—the first kick you gave seemed a slight one—it was on the left side—the first blow was given on the right-hand, and the second on the right angle, and then he fell—I was in the act of getting up at the time of the last kick—you then left him.

RICHARD WHEATLEY. I am a policeman. On the morning of the 2nd of October, a little after one o'clock, I was on duty, and saw Ross between George-street and Charles-street—he said something to me—I afterwards saw him again in Robert-street, at the corner of Charles-street—he was then standing up, and three persons along with him, two of whom were striking him—the prisoner was one of those who struck—before I got to Ross he was knocked down by the prisoner, and when I got up to him he was down, and two men over him—one on each side—I took hold of Rooks who was nearest to me—the prisoner came round to try to get Rooks from me—I then laid hold of him, and was tripped up, still keeping hold of the prisoner—Ross was in the act of getting up when the prisoner kicked him, and knocked him down—I then tripped Rooks up, and a scuffle ensued between Ross and Rooks on the ground—Ross had just got his rattle out of his pocket when Bone came up, and said, “Give me your rattle, I will spring it for you”—Bone got the rattle, and ran away some distance with it—I was endeavouring to get Ross off the ground—the prisoner broke from my hold, and I heard him say, “You old b——, I will stop your springing the rattle”—I looked round, and saw him beating Bone, who was then standing up—I said, “Good God, he is beating the old man”—I said to Ross, “You stick to this one”—I left him, and went towards Bone and the prisoner—I saw the prisoner kick him on the leg—he saw me coming behind him, and he jumped on Bone’s leg with one foot, and ran on the opposite side of Robert-street—I asked Bone, who was lying down, if he was hurt—he said his leg was broken—I immediately crossed the road after the prisoner—he shifted from there about 100 yards, where I overtook him, and apprehended him—we had a scuffle, and other assistance came from my brother constables—we had a deal of trouble—it took seven of us to take the prisoner and Rooks to the station-house—we sent a stretcher for Bone, and I met them bringing him down Union-street—I went with him part of the way to the hospital—I saw Mr. Goodwin examine him at the hospital, about ten minutes after we got there—I saw no one strike or kick Bone but the prisoner.

Prisoner. Q. When you saw your brother constable in Blackfriars-road did you see us? **A.** No—he told me to go round the next street and meet him—he hallooed to me at fifty or sixty yards’ distance—when I came up to him he was at the corner of Charles-street, forty or fifty yards from Edward-street—he had no one in custody then—two were striking him—I took hold of Rooks, and you came from the opposite side to get Rooks from me—you were a very little way apart—I took out my staff after I had got Rooks in custody—I took hold of you when you came to get Rooks—Ross was down on his back—he was watching you—you got from me, and ran to Bone, who was fifteen or sixteen yards off—Ross was on his back at the time—he got up partly, but you kicked him down again—I was endeavouring to get Rooks off him—they were scuffling together—I have no doubt Ross could see you at the time you were striking Bone—he was not on his back exactly all the time you were scuffling with Bone—he was at the time you ran up to Bone—I watched you when I heard

you use the bad language, and saw you beating Bone—Rooks was then down, and I had got Ross up—when you used the bad language you were at Bone, fifteen yards from me—I said so before the Coroner—I said I thought the distance Bone went was about thirty or forty yards, but at the time you struck him you were about fifteen yards from me, because in the scuffle we got nearer to you and Bone—I told the Magistrate I saw you strike and kick him—I was not at the Inquest—when you went away from Bone I left Ross with Rooks, and ran after you—I came up with you against Clark's beer-shop, at the corner of George-street.

FREDERICK WILLIAM BONE. I am the son of Richard Bone—he was a private watchman—I was called out on the morning of the 2nd of October, and found my father lying on the pavement in Robert-street—he said his leg was broken—he was taken to the hospital, and afterwards died—I attended him at the hospital constantly, from the Thursday night before Mr. Goodwin left him, until he died—I remained with him during the whole time.

JOHN MEDMER GOODWIN. I am a dresser at Guy's hospital. Bone was brought there on Friday morning, the 2nd of October, between two and three o'clock—I examined him, and found a compound fracture of the shin bone of the right leg—I examined his left side, where he complained of considerable pain, but no bruise was evident, nor was any bone broken—I found no other injury—he was immediately put to bed, and proper attention paid to him—his leg was laid on a pillow, but I had nothing else done to it, except the application of some lotion—he died on the Sunday night week, following the accident—I attended him till three days before he died, when I left town—from the first, the leg assumed a bad appearance—inflammation took place, and it became gangrene in two or three days—when I left him, he was in a very bad state—I scarcely expected he would live through the night, as mortification had commenced, and he had an attack of pleurisy in the side—he was said to have been kicked two or three days previously—I left him on Friday morning, and returned on Monday afternoon—he was then dead—his body was not examined—it was the opinion of the surgeons that mortification of the leg caused his death—when I left him, there was no probability of saving his limb or his life—he was not in a state for amputation, which was the only chance of saving his life—nothing had occurred in the hospital to injure him up to the time I left him—he had caught no fever or fresh disease—at the time I left him I thought his life in great danger—there was nothing else dangerous about him but the wound in his leg, and the pleurisy in his side—the leg might be broken either by a kick or a man stamping on it—the pleurisy might be occasioned by a kick in the side, although it produced no external mark.

Prisoner. Q. Did he complain about being kicked? **A.** He said he had been kicked in the side—his leg was broken—it might be occasioned by falling—if he had been a young man he might have had a much better chance of recovering—I consider his age decidedly unfavourable to his recovery.

FREDERICK WILLIAM BONE re-examined. I was with my father on Sunday when he died—I had been in constant attendance on him from the Thursday evening—from that time till his death nothing had happened to him—he was very restless, and complained of his leg all the time—after Mr. Goodwin left another surgeon attended him—one or two generally came round—they put a mustard poultice three or four times on his side, and

put some lint or something over his leg—they did nothing to any other part of his body.

SOPHIA HOLDING (*examined by the Prisoner.*) I live in Edward-street. I heard the rattle spring and opened my door, and looked out—I saw Bone before he was down and saw him struck—I went to his assistance—I saw a great bustle between you and him—I did not see him strike you—I saw you strike the first blow—I did not see him strike at all—I did not see you with the two policemen—I went up to the deceased and said, “Good God, Mr. Bone, is it you? let me assist you and get you home”—I saw you go away—I did not see the policeman go after you—I fetched the son—I said, “It is your father, they have gone to the station-house for a stretcher”—the deceased told me that you had kicked him, and you beat him shamefully—I saw you strike a blow, and he did not rise afterwards.

(*The prisoner in his defence stated that he and two others were coming along the Blackfriars-road singing, when the policeman threatened to take them to the station-house; that they went on, wishing to avoid any contention, but the policeman followed and collared Rooks, who laid down to prevent being taken to the station-house; the police nearly choked him in endeavouring to raise him, and he, (the prisoner,) requested them not to injure him, but he had not struck the policeman at all; that the watchman came up and struck him, (the prisoner,) in the left eye, upon which he struck him again, but used no bad language, nor had he kicked him when he was down, or jumped on him; he then went away, and returned on seeing the policeman beating Rooks, when it was said that the deceased's leg was broken, and he, the prisoner, was dragged to the station-house.*)

(The prisoner received a good character.)

GUILTY. Aged 21.—Confined Twelve Months.

Before Mr. Sergeant Arabin.

2671. JOHN HURLEY, HENRY GRIMSHAW, and WILLIAM BIGNALL were indicted for stealing, on the 3rd of October, 47lbs. weight of wheat, value 6s., the property of William Mercer, in a barge on the navigable river Thames.—2nd COUNT, stating it to be the property of William Pamphilon and another; to which

GRIMSHAW pleaded GUILTY. Aged 16. }
BIGNALL pleaded GUILTY. Aged 16. } Confined Three Months.

JAMES WOOD. I am a bargeman—my barge was lying off Mortlake, on the Surrey side of the river, laden with sacks of wheat belonging to Wm. Mercer—I went to Kingston, and was absent from six o'clock till four next morning—when I came back with my horses the policeman had the prisoners in custody—I missed about three parts of a bushel of wheat out of the three top sacks.

JOHN FINLAYSON (*police-constable V 13.*) On the 3rd of October, at nine o'clock, I stopped Hurley and Bignall just as they had landed from a boat—Hurley had got this sack—I asked what he had got—Bignall said “Only sweepings”—I asked Hurley, and then he said “Sweepings”—I took it off his shoulder, and said it was clean wheat—I asked if the captain was on board—he said if I would step in the boat he would row me to the barge—I went, and Grimshaw put his head up—I asked him if he was the captain—he said, “Yes”—I asked if he knew of any thing going on shore—he said, “Yes, it is all right, it is only sweepings”—when we came back, I asked Hurley what he was going to do with it—he said he was

going to take it to a beer-shop and sell it—in going to the station-house he said it was no use telling a lie, they had no victuals, and Grimshaw proposed they should go and take the wheat, and they did—I have a sample of wheat from one of the sacks on board—I have no doubt it is the same wheat.

Hurley. Grimshaw called me, and Bignall said he knew where to take it and sell it for 6d. to get half-a-quartern loaf—I was asleep in the cabin when he called me up.

HURLEY—GUILTY. Aged 16.—Confined Three Months.

2672. JAMES OTTOWELL was indicted for stealing, on the 22nd of September, 1 jacket, value 4s.; 1 pair of trowsers, value 2s.; 1 waistcoat, value 1s.; and 1 handkerchief, value 6d.; the goods of Thomas Head; to which he pleaded

GUILTY. Aged 18.—Confined Six Months.

2673. NICHOLAS SINNET was indicted for stealing, on the 26th of September, 1 brush, value 2s. 10d., the goods of John Taylor and others, his masters; to which he pleaded

GUILTY. Aged 40.—Confined Three Months.

Before Mr. Common Sergeant.

2674. THOMAS CRIDLAND, HENRY WRIGHT, and WILLIAM BENBROOK were indicted for stealing, on the 16th of October, 8 sheets of metal, value 2l.; and 75lbs. weight of nails, value 3l.; the goods of Lawrence Holme Twentyman.

MR. JONES conducted the Prosecution.

LAWRENCE HOLME TWENTYMAN. I am owner of the *Courier* schooner, which, on the 16th of October, was lying in the fore-and-aft dock, Bermondsey-wall, in charge of Crisp, the master-shipwright. I gave him orders to get metal and nails from Moss and Co. to repair the vessel—Wright was chief mate, and had been so about four days—he had no authority to remove any metal or nails from the vessel, or to take any other person on board.

Cross-examined by MR. PRENDERGAST. Q. Wright had all the stores in his care? A. There were scarcely any stores on board—the captain was ashore that night—I had bought these articles, and given directions to give them to the shipwright—I saw samples of them, but never saw the things themselves till I saw them on board last Friday.

Cross-examined by MR. PAYNE. Q. Who slept on board? A. The chief mate—he had no authority to take any one on board—he is a responsible man—he had a good character.

Cross-examined by MR. BALLANTINE. Q. I believe Wright had just come to England? A. I do not know where he came from—I understood he had not been home long—he had been master of a vessel at the Cape six or seven years.

THOMAS CRISP. I am a shipwright. I had the care of the *Courier*, to repair her—I was on board on Friday evening last, about a quarter to six o'clock, when the people all left—I had that morning received some sheet metal and nails from Moss and Co., and some the day before—I saw them put down in the fore-cabin that evening, and left Wright in charge—I was knocked up next morning, went on board, and saw a policeman there—I went into the fore-cabin—I did not take any nails out of the vessel—I saw Wright in custody at the station-house, and some new and old nails and new metal, which exactly corresponded with those on board.

especially the old nails, because they were washed the day before, and left rusty, and they were wet when I saw them—I do not know Cridland or Benbrook—I desired Wright not to leave the ship, or allow any person to come on board.

Cross-examined by MR. PRENDERGAST. Q. You did not observe anything about the nails? A. Yes, I did—I went into the fore-cabin a little after six o'clock, and saw nearly half the bags of new and old nails gone—the nails I saw at the station-house were composition nails, commonly used on board—they are called "Muntz's patent yellow metal"—there is only one person makes them—he makes for half the ships in the river, and the shipwrights use them—I use them for my own ships—they are a good deal used—these were inch nails, which, I believe, are more used than any other—the metal is also called "Muntz's patent yellow metal"—it is used instead of copper—I do not suppose one in twenty know it is Muntz's.

Cross-examined by MR. LUCAS. Q. When were these nails washed? A. Between three and four o'clock the afternoon before—it was a quarter before seven o'clock next morning that I saw them—they had remained wet all that time—I cannot say they might not have been made wet from being overboard—I am employed to do all the shipwright's work—I order all the things in, and employ the men—the bills are made out to the captain and owners of the ship—I do not know whether there is any log-book—I believe all the nails came in on Thursday, and the metal on Friday—I think there was 632 sheets—I suppose 450 might have been used, and the remainder was in the fore-cabin—the mate lived on board—he was on board—he is not my officer, but when I have a ship in charge, of course I look after the mate, and tell him what to do—if a mate of mine were to take persons on board I should soon put him out, but I am sorry to say it is too much the practice to do so.

MR. JONES. Q. But is it the rule that they are allowed to do so? A. Certainly not—if I pay a mate his wages and keep him, I do not expect he will take a parcel of people on board—(*looking at the nails and metal*)—to the best of my belief, these are the same as I left on board the vessel—the metal exactly resembles what I left on board on Friday, in weight and every thing—after having seen the nails and metal at the station-house I examined that on board, and missed nearly half a bag of old nails, and nearly one-third of the bag of new nails—I did not count the metal at that time, but I told my foreman to do so after the ship was completed.

MR. PRENDERGAST. Q. The greater portion of these are old nails? A. The greatest quantity missing was new—I have found 29lbs. weight of old, and 46lbs. weight of new—the old nails often fall in the dock when we are repairing a vessel, and those may have been picked up by boys or men—I suppose these old nails had fallen in that way—I should not think that they become the property of those who pick them up—they are picked up and sold every day, but not when we can catch them at it—they do not do it without interruption—I have had seven or eight in the last six months at Union-hall for doing it—it is not commonly done.

GEORGE WHITE. I am a watchman at Fountain Dock, Bermondsey-wall. I watched the fore-and-aft dock on the night of the 16th of October—I know the prisoner Wright—I did not know him as mate of the *Courier*—he got a light of me that evening, shortly after six o'clock—he was then

quite sober—he took the light into the cabin—I saw him in twenty minutes or half an hour afterwards—he then went on shore—I then saw him again, coming to the vessel with Cridland—I said, “Who is there?”—Wright said, “It is me, watchman, and a friend of mine”—they went on board, and after that they went again on shore—they went on shore about three times altogether—I did not observe any thing with them—on the last occasion there was a third person with them, but who it was I cannot say—Wright was at that time intoxicated—they all three of them went on board the vessel, and I did not observe them leave it again—Syred, the officer, then spoke to me, but I did not know who the persons were he spoke about—I afterwards saw Cridland taken, and I saw the third person whom I have mentioned go to the gate—he had the gate in his hand, and ran after he got outside.

Cross-examined by MR. BALLANTINE. Q. Was there not another vessel very near this one? *A.* Yes—that was the one I was watching.

SAMUEL SYRED (*police-constable M 82.*) On the 16th of October, about nine o'clock at night, I was on duty at Bermondsey-wall—my attention was drawn to the fore-and-aft dock—I saw Cridland and Benbrook there—they were stopping and walking about from one place to another—I did not see any other person there then—later that evening I saw Cridland again, he was then going towards his own house, and was about 150 yards from the dock, he was carrying something very heavy—I turned round and followed him to his own house—he went in—I stopped, and saw him come out again in eight or ten minutes—he went in with a parcel, and came out without one, and went away in quite a different direction—I went down to the fore-and-aft dock, and in about twenty minutes I saw Cridland again, he was then alone—I afterwards saw him again with Benbrook, on the wall adjoining the fore-and-aft dock—there was about a quarter past ten o'clock—I was walking on my beat, and missed them all at once—I then went back to the dock, to inquire of the watchman—I then saw Benbrook and Cridland come from on board the *Courier*—I ran towards the gate, and when I got in sight of it, Benbrook had got the gate in his hand, and before I could get there he went out—Cridland was close behind—I stopped him and said to him, “You are doing something wrong, you are my prisoner”—I called my brother officer, and gave Cridland in charge to him, while I went out and pursued Benbrook, who was then running—I called “Stop,” but he ran the faster—I did not see any parcel near Cridland when I gave him to my brother officer—I was the same night with the sergeant to Cridland's house, to search it—I found five sheets of metal and some new nails on the counter, these are they (*producing them*)—he is a marine-store dealer—his house is nearly a quarter of a mile from the dock.

Cross-examined by MR. PRENDERGAST. Q. You found these while searching? *A.* Yes—there were many different things on the counter I knew Cridland before—I had him in charge about three weeks before, some dispute about rent.

Q. Did you not drink with him this very night? *A.* Yes—that was about half past nine o'clock—that was at the time I saw him lurking about—it was about eleven o'clock when I told him he was doing something wrong—when I met him on the wall with a parcel, I followed him and saw where he left it—I had no particular reason why I did not stop him—it was about twelve o'clock that I went to his house to search, he was in the station-house.

Cross-examined by MR. PAYNE. Q. When you saw Benbrook and Cridland coming from the vessel, where were you? A. I was standing at the stern of her—I had no light, but the watchman had a lantern—there was a light down in the cabin of the vessel—I cannot tell the length of the vessel—to go on board the vessel from the shore, you go in the middle part of it—it is a schooner—Benbrook was taken at his own house the next morning.

MR. JONES. Q. When you drank with Cridland, had you any reason to suppose he was doing wrong? A. No, he spoke to me about the matter I had him up on before.

NATHANIEL KING (*police-constable M 215.*) I was on duty last Friday night, at Bermondsey-wall. About half-past eleven o'clock I heard some one trying to open the gate of the fore-and-aft dock—I went to the gate to look, and found Cridland and Benbrook inside—I said, "Halloo, what are you after here?"—Cridland said, "I have been on board with a mate, having a glass of grog; I have been agreeing with him to buy some rope; if I drink with him and make him drunk, it is most likely I shall have a good bargain with the rope"—Benbrook stepped out of the gate, and made off without saying any thing in my hearing—but it was before he ran away that I asked them both what they were after—Benbrook stepped out of the gate as the other officer came up—I laid hold of Cridland, and asked him again what he was after—I said, "You are up to something here; what have you got about you?"—he said, "I have not got any thing, by G—d"—I felt in his right-hand coat pocket, and found 1½ lb. weight of new nails—I said, "What have we here?"—he said, "Oh, I have 5 or 6 cwt. of these at home"—he was then leaning against the gate-post, trying to conceal two parcels—I turned the light on, and found there these three sheets of metal—they were on the spot where he and Benbrook had been together, and not six inches from Cridland—I said, "Halloo, here is something else"—he said, "I know nothing at all about that"—I said he must go to the station-house with me—I was present afterwards, when some nails and metal were found on the counter in his house.

Cross-examined by MR. PRENDERGAST. Q. Do you mean to say you saw any parcel in Cridland's hand? A. I did not—he had these nails loose in his pocket, and said he had several hundred-weight—we found 46 lbs. weight of them on the counter—those nails found in his shop correspond with what were found in his pocket, and those found in his pocket exactly correspond with what were found in the vessel—I drank with Cridland and Benbrook that evening—they were both together, and I partook of 6d. worth of gin between us—I never drank with prisoners before.

Cross-examined by MR. PAYNE. Q. Who did you have the gin with? A. With Cridland and Benbrook, and the officer Syred—we had no ale at all—it depends on circumstances what we drink—we take it as it comes—I was inside the Dock-gate when I saw Benbrook coming out, and the other officer came up directly after him, and told me there was something up—he then seized Cridland, and I asked him who I should take—he said, "You remain with this, and I will go after the other"—I did not go after Benbrook at all—I drank very little—I drank half-a-pint of beer after I drank the gin—I saw both Cridland and Benbrook inside the dock—I went inside and spoke to Cridland about the rope, but Benbrook had gone off then—I did not ask the question of them both.

THOMAS COSTON (*police-constable M 22.*) I went to Cridland's pre-

mises on Friday night, and found the metal and nails—I went to the vessel, and found some nails, which I have compared with those found at Cridland's, and they correspond with them—next morning I apprehended Benbrook coming from his own house—he is a collector of metals, and a marine-store dealer—I have been to his shop and seen such articles as we generally find at marine-store dealers—when I told him I wanted him to come to the station-house, as I had a charge against him, he asked what for—I told him on suspicion of being concerned in stealing metal from the vessel in the fore-and-aft dock—he said he knew nothing of it—I asked if he knew Cridland—he said, “Yes,” and he was in his company, but he knew nothing about any copper—he said he did not go on board the vessel, as he was afraid to go up the plank.

Cross-examined by MR. PAYNE. Q. Do not you know that Benbrook is a carpenter? A. No—I saw weights and scales in his shop, and in a box 4lbs. or 5lbs. weight of such metal as this, and a quantity of iron of different sorts, such as you would find in a marine-store shop.

DAVID WERNHAM BENNETT. I am warehouseman to Messrs. Moss and Co., of Salmon-lane, Limehouse—they are ship and insurance brokers, and agents for the sale of this metal sheeting and nails—we delivered on board the *Courier* a quantity of this metal and nails, which was purchased by Mr. Twentyman, on Thursday, Friday, and Saturday last—I have looked at those sheets produced—they are precisely the same as those delivered on board the *Courier*—there is no mark on them as being delivered on board the *Courier*, but they are marked with chalk—some of them are my mark.

Cross-examined by MR. PRENDERGAST. Q. Do you mark these with your own hand? A. A great many I do—I can trace my mark on some of these—we are the sole agents in London for the sale of this metal—it is Muntz metal—all the metal of this description found in any vessel comes from us—we have no private mark on it for any particular vessel—we receive 60 or 80 tons of it in a week.

JOHN RABBLE. I am apprentice to a waterman. On Friday night last I was at the stairs near Bermondsey—I saw Cridland about twenty minutes or half-past ten o'clock that night, close by the stairs, about twenty yards from the fore-and-aft dock—he was carrying a bag which seemed rather heavy—he rested it down by the side of a bench, and asked me if I would carry it home to his house—I told him no, I had to look after my boat.

Cross-examined by MR. PRENDERGAST. Q. Where was this boat? A. It ferries people from East-lane stairs to Union-stairs, on the Bermondsey side.

GEORGE WHITE *re-examined.* Q. What time did you see Wright, Cridland, and a third person, together? A. Past eleven o'clock—that was about ten minutes or a quarter of an hour before I saw Cridland taken into custody—when Cridland was taken, Wright was on board the ship—I do not know that Cridland was drunk when I first saw him, but he was the last time, and Wright was quite drunk.

MR. PRENDERGAST *called for the Defence*

JAMES VINCENT. I am a brush-maker, and live in Waterloo-road. I work for Mr. Cridland—he is a ship-chandler, and keeps a marine-store shop—I worked for Mr. Scott twelve months before Mr. Cridland took the shop—I have three or four days' work in a week there—I was at Mr. Cridland's house last Friday all day—I was down in the warehouse in the

evening—I came up, and saw a man in the shop with two parcels, one contained copper nails—he said to Mr. Cridland, “Will you buy some nails?”—Cridland said, “I don’t know, let us look”—I was backwards and forwards at the time, and he took some out of the bag, and showed them to him—Cridland said, “These are not copper nails, I don’t understand them”—the man was about forty, a short, stout man—it was not the prisoner Wright—he had a blue jacket on, and looked like a sailor—he was not so tall as Wright, but stouter—Cridland said, “I don’t know what these are, I can’t buy them; if you like to leave a sample, I will give you an answer to-morrow—I should not like to buy them till I have made some inquiries”—the man said, “I will leave them, we have got a quantity more on board our ship, we have been repairing the vessel, and the captain and I will come here”—there was also some sheets of bronze copper—there was a gentleman sitting in the shop at the time—the sailor then went away, saying he would leave the whole bulk of them—I then went about my work till eight o’clock, and after we had shut up, Cridland said, “I will take a sample of these nails up to Mr. Benbrook—he is a good judge of these nails”—he took a sample out, and put them into his pocket—I walked with him as far as his son’s, who is a cheesemonger at Dockhead—I then said, “Good night”—I went on—I went to work again on Saturday morning, and then I understood something had transpired about some nails, and that Mr. Cridland was in custody—it was about ten minutes past eight o’clock on Friday night when we left the shop, and left the bag and copper on the counter—we left a person whose name, I think, was Camp, on the premises—I did not weigh the nails—I should say there were 30lbs. or 40lbs. weight.

MR. JONES. Q. What is Mr. Camp? A. I do not know; I believe he sells boat-nails and different things—I do not know where he lives—I have seen him before, perhaps four or five different times—I think he travels and goes round about once a week—he is a seller in the Wolverhampton trade—he is not a marine-store dealer—I have known Mr. Cridland to buy of him—we have had boat-nails of him—I have nothing to do with Mr. Cridland’s buying, but I know he has sent in something like that—I have worked for Cridland about four months—I sort the iron, rags, and such things—Cridland does not understand the business—we buy a deal of rope and iron—I have never been in that business myself—I was in a shop of Cridland’s, at Rotherhithe, but he found the money to carry it on—I have never been a marine-store dealer—I am a brush-maker—I have kept a chandler’s shop, but not for some years past—Cridland did not ask the person who came with the nails and bronze where he came from—he said he should not like to buy it unless he knew where it came from—the man did not tell him—I do not know whether he did call on the morrow—the shop was shut up on the Saturday—I could not carry on the shop—Cridland would not trust me to buy and sell goods—I think I should know the man if I saw him—I do not know the value of these articles—it was about six o’clock when the man brought them—Cridland did not leave till about eight o’clock—I do not sleep there.

Q. Have you ever been a witness before? A. I never was but once—that was in this Court, three years ago, on occasion of a conspiracy for defrauding a gentleman out of some goods—I was a witness for the prosecution—I then worked for the gentleman who was prosecuted—he kept a grocer’s-shop—I never was a witness but then—I was committed to New-

gate, that is something like two or three years ago, it was for conspiracy to defraud a man of some brewers' casks—I was in Newgate a fortnight—I was tried in the other Court—I was found guilty, and sentenced to one month in the Penitentiary—I was in Newgate before that, but I was honourably acquitted—at the time I went to the Penitentiary the Judge told the Jury we were not guilty, but he would give that nominal punishment—the Judge interrupted the Jury five times, and told them they could not find us guilty; but the foreman had some animosity against me—I know him well.

MR. PRENDERGAST. Q. Did the Judge tell the Jury two or three times that they ought to acquit you? A. Yes, he did, five times—he said, “If you find them guilty I shall only give a nominal punishment”—I think the Judge was the Recorder—there was a man on the Jury who was an enemy of mine—the Judge was satisfied that was the case.

THOMAS CAMP. I am in the Birmingham and Sheffield trade, as a commission agent. I deal in nails—Cridland was one of my customers—I went to his house on Friday last to sell some nails—I saw a man bring some things to his shop—I should probably know him again—he was in the garb of a sailor—he brought a packet containing some sheets of metal or copper, and some nails—I heard him offer them for sale—Cridland looked at it, and expressed a doubt as to the quality and nature of the articles—I left before the man went—I cannot identify either of the prisoners as the man—I think he was about thirty or forty years of age.

MR. JONES. Q. What time was it? A. Between five and seven o'clock, I will swear it was not after eight—at eight o'clock that night I was at the house of a gentleman at Rotherhithe, named Fuller—it was a middle-aged and middle-sized man, nothing particular, he was neither thin nor stout—he had a blue jacket on—I live in Bridport-place, New North-road—I am a householder, and have lived there twelve months—I sell for Bedford and Lord, in New Hall-street, Birmingham, and for Holder and Dove, and for Wylie, of Sheffield—I never was a witness here before—I have been in the Court of Queen's Bench—I never was at Brighton—I did not attend before the Magistrate—I was asked to come here the day before yesterday.

(James Cant, a tailor of Suffolk-street, Borough; James Brooks, a tobacconist, of Red-cross-street; Robert Allen, of Dockhead; and John Foster, a coal-dealer, of Long-lane; gave Cridland a good character.)

(Benbrook also received a good character.)

CRIDLAND—GUILTY. Aged 45.—Transported for Seven Years.
BENBROOK—GUILTY. Aged 27.—*Recommended to mercy by the Jury.*
Confined One Year.

WRIGHT—NOT GUILTY.

Before Mr. Sergeant Arabin.

2675. ALFRED JONES was indicted for a misdemeanor.

MR. CHAMBERS conducted the Prosecution.

JOHN SOFER. I am a beer-seller, and live in Mead's-row, Old Kent-road. On Sunday evening, the 20th of September, the prisoner came for half a pint of porter—he offered a counterfeit half-crown—I detected it, and asked where he came from—he said he was living with his mother in Horse-monger-lane—I said I would go with him there—I went to the corner of the first street—he then ran off, leaving his jug of beer and half-crown behind—I saw him again five or six days after in custody—I gave the half-crown to my wife, and saw her give it to the policeman.

ELIZABETH MARIA SOPER. I saw the prisoner come for the beer—I received the half-crown from my husband, and kept it in my pocket till I gave it to Brooks.

JAMES BROOKS (*police-constable L 118.*) I produce the half-crown which I got from Mr. Soper, in his wife's presence.

GEORGE THOMAS HINDS. I am a surgeon. Between seven and eight o'clock in the evening of the 20th of September, the prisoner came and asked for one pennyworth of strapping—he tendered me a bad shilling—I broke it, and said, "How dare you come to pass me bad money?"—he said he did not know it was bad, and if he brought his mother would I have any objection to show her the piece—I said, "No"—he left the strapping, and went away—he did not bring his mother—I gave the two pieces of the shilling to Frond.

PHILIP FROUD (*police-sergeant L 6.*) I received the two pieces of shilling from Mr. Hinds.

CHARLES BURGESS GOFF (*police-constable L 31.*) I took the prisoner, from a description I had of him, on the 30th of September—I told him I wanted him for passing a bad half-crown at Mr. Soper's—he said he knew nothing about it.

MR. JOHN FIELD. I am Inspector of coins to the Mint. These are both counterfeit.

Prisoner's Defence. I know nothing of the half-crown; the shilling I got for carrying a box for a gentleman; I did not know it was bad.

GUILTY. Aged 16.—Confined One Year.

2676. WILLIAM BAILEY was indicted for a misdemeanor.

CHARLES WAKE. I am a cheesemonger, and live in Silver-street, Golden-square. On the 23rd of September, about twelve o'clock, the prisoner came and asked for a quarter of a pound of cheese—he gave me a bad shilling—I asked him where he got it—he gave some answer which I could not understand—I gave him into custody, and gave the policeman the shilling.

STEPHEN FRAMPTON. I was a policeman. I received the prisoner with this shilling—he was taken before the Magistrate, and discharged.

ROBERT BOND. I am shopman to Rutledge and Knight, linen-draper, in Bridge-street, Lambeth. On the 1st of October the prisoner came for one pennyworth of black thread—he gave me a bad shilling—I took it to Mr. Knight, and went for a policeman, who took him in charge.

JAMES KNIGHT. I received the shilling from Bond, and gave the prisoner into custody—I asked where he got the shilling, but I forget his answer—I asked where he lived—he said, somewhere in Southwark—I gave the shilling to Cole.

WILLIAM COLE. I am a policeman. I took the prisoner, and received this shilling from Mr. Knight.

MR. JOHN FIELD. These are both counterfeit.

Prisoner's Defence. A man sent me to get a quarter of a pound of cheese.

GUILTY. Aged 15.—Confined One Year.

2677. HARRIETT KING and JOHN SCOTT were indicted for a misdemeanor.

ALICE STEPHENS. I am the wife of William Stephens; my son is a stationer, in Clayton-place, Kennington-road. On the 16th of October a woman came and bought a sheet of writing-paper—she gave me sixpence

—I gave her five-pence change—I put it just inside the till—there was a great deal of silver in the till, but quite separate from the sixpence—Goff came in about a minute after she left, and said something—I took the sixpence out of the till, and gave it to him—it was the same as she had given me.

MARY ANN VARNHAM. I live with Mr. Mitchell, an eating-house keeper, in Lambeth Walk. On the 16th of October, the female prisoner came there and asked for one penny worth of pudding—we had none—she went out, came in again, and asked for a penny saveloy—she gave me a sixpence—I went to the Fountain public-house to get change, and gave it to Ann Bone—I gave the prisoner 5d. change, and the saveloy.

ANN BONE. I gave Varnham change for the sixpence—I put it in the till, where there was one other sixpence, but a different one—the one Varnham gave me had “sixpence” marked on it—I gave that one to Brooks—I am sure it was the one.

CHARLOTTE DEAN. I am the wife of a green-grocer. On the 16th of October, the female prisoner came and asked for a penny herring—she gave me sixpence, but not having change, I gave it her back and said she must get change—Brooks came in suddenly and took hold of her hand in which I had put the sixpence—I marked that sixpence.

JAMES BROOKS. I am a policeman. On Friday morning, the 16th of October, I saw the two prisoners at the Elephant and Castle—I saw Scott take something from his mouth and rub it between his fingers—I watched and followed them—about half-way between the Elephant and Castle and Stephens's, I saw Scott give something to King—she went into Stephens's, came out and joined Scott—I and Goff still followed them—I saw King come out of Mitchell's, and join Scott again—I went in to Mitchell's, then to the Fountain public-house, and received a bad sixpence from Bone—I afterwards saw King go to Dean's—I then went and seized her hand, and found in it a bad sixpence—these are the two sixpences—I found one good shilling on King.

CHARLES BURGESS GOFF. I am a policeman. I was with Brooks—I went into Stephens's and got this sixpence—I followed the prisoners, and watched their proceedings—when Brooks seized King, I seized Scott by the throat, in the Westminster-road—we fell together, and this sixpence dropped from his mouth—at the station-house I found on him a sheet of paper, a good sixpence, and 1s. 6d. in copper.

MR. JOHN FIELD. These four are all counterfeit, and all cast in the same mould.

Scott's Defence. I met this young woman—she asked me to direct her her way—I was going to show her, and one of the officers came and seized me and said, “Chuck them up, or I will choak you”—I said, “What is this for?”—he said, “You know,” and took me.

KING—GUILTY. Aged 24. }
SCOTT—GUILTY. Aged 18. } Confined One Year.

Before Mr. Sergeant Arabin.

2678. THOMAS BROWN was indicted for stealing, on the 12th of October, 18 loaves of bread, value 6s. ; and 1 basket, value 7s. ; the goods of Henry Warren ; and that he had been before convicted of felony.—2nd Count, stating them to belong to James Young.

JAMES YOUNG. I am a journeyman to Mr. Edward Warren, baker, of York-road, Lambeth. On the 12th of October, I was out with bread—I

went into a public-house with my basket, and the prisoner, whom I had seen once before, came in—we went away together, and he offered to assist me to serve my customers—we went to two or three customers, and I then left him with my basket while I went to a customer—I came back in two or three minutes—the prisoner and my basket, with eighteen loaves in it, were gone—I saw him again the next day, and asked where my basket and bread was—he said he did not know—I gave him into custody.

JANE COOPER. I am a servant. On the 12th of October, the prisoner served me with a loaf—I know he is the man I saw with the basket.

WILLIAM GRAY (*police-sergeant G 12.*) The prisoner was given into my custody.

Prisoner's Defence. I waited ten minutes for the prosecutor in the rain, and he did not return—he was drunk, and did not know what he was about.

ROBERT ADAMS (*police-sergeant B 15.*) I produce the certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY. Aged 17.—Transported for Seven Years.

2679. JAMES EMERY was indicted for feloniously receiving, on the 15th of September, 4 decanters, value 1*l.* 7*s.* 8*d.*, the goods of Apsley Pellatt; well knowing them to have been stolen; against the Statute, &c.

MR. PAYNE conducted the Prosecution.

ROBERT KING. I am in the employ of Mr. Apsley Pellatt as a stopperer. These decanters (*looking at them*) I stoppered—these quart ones I marked on the outside ring—I was found fault with for doing so—I stoppered and marked twenty-seven quart decanters, from Nos. 1 to 27—the numbers on these two quarts are, Nos. 3 and 18—I stoppered and marked thirty pint-decanters from 1 to 30—I never stoppered so many before at one time of the same sort—I stoppered and marked the quart ones from the 14th of August to the 21st, and the pints, from August the 21st to the 28th.

Cross-examined by MR. CHAMBERS. Q. How old are you? A. Twenty-seven years—before I was in Mr. Pellatt's service, I was in the service of Mr. Morgan in the City-road—he is in a large way of business—I was there two years, and left there in March last—Mr. Morgan was not in the decanter line, but made toilets and smelling-bottles—that was the only service I was in—my brother taught me to stop—he was apprenticed to Mr. Stock, who worked for Mr. Pellatt at the factory—the mode is to mark the stopper, and then the decanter, or else we should not be able to fit them.

EDWARD WHEBLE. I am foreman to Mr. Pellatt. On the 11th of September, there was thirty of these pint-decanters safe on his premises, Nos. from 1 to 30—on the next day I sold three of them, which were numbered.

Cross-examined. Q. When you sold them did you make an entry of them? A. No, but I sent for them afterwards to see them—I sent to the gentleman, and begged he would let me see them, and he produced them directly—he told me they were what he bought of me, and I saw the numbers on them.

MR. PAYNE. Q. Did you afterwards examine the pint-decanters that remained at Mr. Pellatt's? A. Yes, on Wednesday, I found Nos. 14, 18,

22, or 23, 1 and 29, gone—the two pints which are here are Nos. 1 and 29—it was on the Saturday that I sold the three to the gentleman, and on the Wednesday I saw them again—I know them from their general character, and they were the Nos. I had sold—I believe these, Nos. 1 and 29, were part of those decanters—I saw the quart decanters safe on the same day, the Saturday—there were twenty-seven then—I examined them on the Wednesday, and there were but nineteen—I cannot tell the Nos. of the eight that were gone, nor the Nos. of those that were left—I believe these two quart decanters were there on the Saturday—(*looking at two*)—they were certainly not there on the Wednesday—I have the care of the room in which those decanters were kept—they are kept in a room we call the show-room—it is up a flight of stairs, and across a bridge—I remain in general in the middle-room—in order to get to that middle-room you must go through the counting-house, and up a flight of stairs—I did not see the prisoner there from the Saturday till the Wednesday—Mr. Day is there when I am absent—Mr. Horton locks the premises of a night, and takes care of the keys.

Q. Had you any toilet bottles in your warehouse? *A.* Yes—about the 8th of September we had forty—I had sold six of them after the Saturday, and before the Wednesday, and I missed six of them—I believe these six that are here to be like some of those we had—the value of these, as sold by my master, is 1*s.* 6*d.* each—the quart decanters are 17*s.* a pair, and the pints, 10*s.* 8*d.*

Cross-examined by MR. CHAMBERS. *Q.* Mr. Pellatt is a man of high name in the glass-market, is he not? *A.* Yes, he produces very splendid things—the Birmingham and country dealers sell cheaper, but their articles are not so good—they hurt Mr. Pellatt by under-selling—these decanters are a common pattern, but you may have commoner—these are cut decanters, you may have them half cut—I do not know whether you can get the pint decanters in the shops in Holborn at 7*s.* 6*d.* a pair, and the quarts at 11*s.*—I have been at Birmingham, but I do not know the expense of making things there—a vast quantity of cheap goods have been thrown into the London market, from Birmingham and elsewhere—I sell in the warehouse, and Mr. Gay and Mr. Pellatt in my absence—no one is authorized to sell, if we three are absent, but Mr. Pellatt's nephew might sell—if he was out, I cannot tell who would sell—it is our duty to enter in a book the decanters sold—I have not the book here—it is not from the book that I get the knowledge of the decanters sold—my recollection serves me—every body that sells ought to enter in a book what he sells—I am not aware of mistakes being made in selling—dealers come and buy what they please, and take it away—the gentleman in the Blackfriars-road, who bought the decanters, is an oilman, next door to Mr. Smith, the butcher—Mr. Hewitt bought them of me for him—these quart decanters are like Mr. Pellatt's—there was a vast quantity of glass in the warehouse exhibited for sale, where the customers may walk through and look at it—there are persons to clean out the warehouse—they are let in at half-past eight or nine o'clock—the man who locks up the warehouse is here—there are two boys, named Hunter and Humphries, who might go in and come out when they liked—they are not authorized to sell—they might do it—the retail price of the quart decanters is 24*s.*, and 16*s.* the pint ones.

MARY BROWN. I am the wife of Edward Brown, he is a general dealer, and lives in Baker's-row, Newington; I know the prisoner by

sight, I have seen him at our house at different times, he has sold glass to us. On the 15th of September he came and brought these four decanters—he asked if my husband was at home, I said, “No”—he said he would call in the evening for the money for them—he came in the evening, my husband was not then at home—he said he would call in the morning, which he did, and while he was there the policeman came and took him.

EDWARD BROWN. I keep the shop. I know the prisoner, and have had dealings with him for about twelve months—he has dealt in wine-glasses and tumblers principally—these four decanters were brought to my house, and these six toilet-bottles I bought of the prisoner—I gave him 10d. a-piece for them—he brought them about two or three weeks previous to the decanters coming—he said he would sell the decanters for 17s., but I did not make any agreement with him as to price—I had seen him about the Saturday before he left the decanters.

Cross-examined by MR. CHAMBERS. Q. You are a general dealer, are you? A. Yes—I was a pawnbroker about nine years—glass has become very much depreciated in value during the last few years, in consequence of a large quantity of glass being introduced from the country—I should not have bought these if I had thought they had been stolen.

COURT. Q. Did they appear to you to be good articles? A. Yes, well-manufactured goods—I bought some toilet-bottles of him six months ago—I knew where he lived, he kept a private house—I went there with the officer.

JOHN DAY. I am in Mr. Pellatt's employ. It is part of my duty to attend in the middle-room, when Mr. Wheble is out—I did not see the prisoner there from the 12th of September till the Wednesday following.

Cross-examined by MR. CHAMBERS. Q. Is there any book in which you put down what is sold? A. Yes, but the book is not here—I do not know who sells when I am out.

PETER KENDALL (*police-sergeant P 1.*) I went to Brown's house on the 16th of September, and saw the prisoner there—I said to him, “I believe you brought some decanters here yesterday”—he said, “Did I?”—I said, “Yes,” and told Brown to bring them forward, and he brought these—I cautioned the prisoner not to answer me unless he thought proper, and I asked him where he got them—he said he had had them by him twelve months—this conversation took place in the parlour, and Brown and his wife were present—I then took the prisoner to the station-house, and on the road he said he bought the decanters three months ago of a man in the street, whom he did not know, and he exchanged glass for them.

Cross-examined. Q. How came you to go to Brown's house? A. Because I understood he expected the prisoner there for the money—I have stated the whole of the conversation.

NOT GUILTY.

2680. JOHN COLLINS was indicted for stealing, on the 2nd of October, 4 spoons, value 15s.; and 1 brush, value 5s.; the goods of John Robson.

BRIDGET BRYAN. I am servant to John Robson, at Fulham. At three o'clock in the afternoon of the 2nd of October I saw the prisoner and another boy go out of the hall—I followed and asked how they came in, and they gave me no answer—when they got to the hall door they told me the men in the ground had sent them—I called to the men in the ground, and they

said they had sent no boys in—I then told the gardener to follow them, and the officer took the prisoner—I missed these spoons, which had been in the plate-basket by the bed-room door on the staircase, and the brush from the looking-glass drawer.

FRANCIS CRUTTENDEN (*police-constable V 198.*) I heard of this, went in pursuit of the prisoner, and found him against the West London Cemetery—there were four boys together—they had got something in their hands looking at, and there was a boy behind on horseback—he put his finger into his mouth and made a whistle—the boys then turned, saw me, made a start, and left the prisoner—he put something through the cemetery rails—I took him, and found these things in the rails, and these papers that he had to sell.

Cross-examined by MR. BALLANTINE. Q. The others ran away? A. Yes—one of them was taken by another officer—the prisoner was younger than the others.

ROBERT SUTTLE (*police constable B 97.*) I took a boy named Jones, he is two or three-and-twenty years old.

GUILTY.* Aged 12.—Transported for Seven Years.—Convict Ship.

2681. HENRY WILLIAM SHOOTER was indicted for embezzlement.

HENRY HODGES. I am a coach-builder, and live at Camberwell. The prisoner was a labourer or helper in my service—I used to allow him to collect money occasionally—the last few months, in consequence of something which happened, the mode of settlement has been every evening.

STEPHEN SHINDER. I owed the prosecutor 5s.—on the 1st of September I paid it to the prisoner—he did not give me a receipt.

JAMES ALEY. I owed the prosecutor 3s.—I paid it to the prisoner, on his master's account, on the 5th of September.

EDWARD HOWELL. I owed Mr. Hodges 5s.—on the 11th of October I paid it to the prisoner on account of his master—I did not ask him for a receipt.

HENRY HODGES *re-examined.* The prisoner did not account to me for any of these sums—he denied having received more than what he gave me—I found this out by his absconding from my service on the 12th—he had been in my service seven years.

GUILTY. Aged 35.—Transported for Seven Years.

Before Mr. Recorder.

2682. JAMES BEADLE was indicted for stealing, on the 21st of October, 230lbs. weight of coals, value 3s., the goods of Joseph Holl and another, in a barge upon a certain navigable river called the Thames; and that he had been before convicted of felony.

ALBERT JOHN ASHDOWN. I am in the employ of Messrs. Holl and Beaven, coal-merchants, at Vauxhall-wharf, Walworth-road. On the evening of the 20th of October we had a barge, called the *Agnes*, on the Thames—she had two sorts of coals on board—Maddox has produced to me samples of both kinds of coals—they appear to be such as were in the barge—there were coals missing on board.

Cross-examined by MR. BALLANTINE. Q. Who had charge of the barge? A. No one—I did not see the coals—I knew they had such coals on board from the certificate of the meter.

Q. Is there any thing particular about the coals? A. Nothing—there

were two sorts in the barge, and two in the sample—there were 28 tons of Heaton and 67 tons of Russell's High-main—I cannot swear to coals by looking at them.

GEORGE MADDOX. I am a Thames-police Inspector. I was on duty on one of the police galleys, on the 20th of October—I drove up with the tide—when I got to Lambeth I saw the prisoner in the *Agnes*, which was deeply laden with coals—it was a dark night, but there was gas-light on shore, about fifty yards from the barge—I saw the prisoner stoop down on board the barge, walk out into a boat alongside, and put something down—he then went into the barge again, picked up something, went into the boat, and dropped it down—it appeared by the fall to be coal—on seeing me he began to make his way on shore in a boat on the other side of the barge—I pursued, and got up to him before he got on shore—I asked how he accounted for being in the barge—he said he went there to seek an anchor—I asked whose boat that was alongside the barge—he said, “I don't know”—I took him alongside the boat, and asked if he knew whose boat it was—he said, “Yes, it is mine”—I found twenty-two large pieces of coal in the bottom of the boat—they weighed 230lbs.—I asked whose coals they were—he first said he did not know how they came there—I told him I saw him take them out of the barge—he then said he took them for his own use—I took him on board the station-ship—I examined the barge with a lantern before I left, and found several holes where there had been coals apparently taken out—I did not notice the quality, but I brought a sample out.

Cross-examined by MR. PRENDERGAST. Q. Do not you know if you take coals out, they will fall in again directly? A. They were not all flat on the top of the barge—the places were very small, not sufficient to fall down—I could not see which of the rooms he was in—it was very dark—I had these lumps of coals weighed at the Thames-police-office—three constables that were with me, saw the coals in the boat—I believe the prisoner is a dredger-man.

CHARLES HENRY FALCONER. I am Inspector of the Thames-police. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(read)—the prisoner is the man.

GUILTY. Aged 23.—Transported for Ten Years.

Before Mr. Common Sergeant.

2683. WILLIAM WEBB was indicted for stealing, on the 23rd of October, 1 watch, value 10s.; 1 watch-chain, value 3d.; and 1 seal, value 1s.; the goods of William Davies: and 1 pocket-book, value 1s.; 7 sovereigns and 1 10l. note; the property of Edward Atwell, in a vessel upon the navigable river Thames.

EDWARD ATTWELL. I am master of the *Britannia* smack lying at Cherry Garden-stairs, St. Mary's, Bermondsey. On the 21st of October, about twelve o'clock at night, the prisoner came on board my smack to pilot me down the river—I did not know him before—he brought me down to Cherry Garden-stairs—I take any body that offers himself to pilot me—I went down into the cabin to bed—the pilot was to call me—I laid my jacket, waistcoat, and trowsers on the locker—I had a pocket-book which contained a 10l. note and seven sovereigns, belonging to me—the watch and seal belonged to William Davies—in the morning the boy got up to light the fire—the watch and property were gone, and the prisoner was gone too—he had taken my boat on shore, and made her fast—I found

him in bed with a lady—I found the pocket-book and the 10*l.* note in his jacket pocket—this is it—it is mine.

DAVID HANSELL (*police-constable M 117.*) I went to a lodging-house in Tooley-street, and found the prisoner in bed with a woman—I found the watch in the bed, and the pocket-book in his jacket pocket—he said it was a bad job for him.

(Thomas Knight, a publican, gave the prisoner a good character.)

GUILTY. Aged 21.—Transported for Ten Years.

2684. ELIZABETH FISHER was indicted for feloniously receiving, of an evil-disposed person, on the 1st of October, 18*lbs.* weight of brass, value 15*s.*, the goods of Richard Evered, well knowing it to have been stolen; against the Statute, &c.

RICHARD EVERED. I have lost a quantity of brass—the brass produced is mine—it is a peculiar sort, made only for me—I am the only person that uses it in London.

CHARLES WELCKER WILLIAMS. I am foreman to Mr. Evered. I accused Ashley about this brass, and he told me he had taken it to Mrs. Fisher, a marine-store dealer—I got an officer, and went to her house, in Amwell-street, Camberwell—we found this brass there—it is all new, and worth 10½*d.* a pound.

ARTHUR ASHLEY. I took this brass from my master's, and sold it to the prisoner at 3*d.* a pound—I put it in the scale, and she weighed it.

Cross-examined by MR. CLARKSON. Q. Did you tell her it was your perquisite? A. No—I have come from prison—I cannot tell how much money I received—this large piece of brass is part of what I took—I cannot state any day on which I went—I went one Friday, but I did not take this piece then.

NOT GUILTY.

2685. ELIZABETH FISHER was *again* indicted for feloniously receiving, of an evil-disposed person, on the 22nd of October, 5*lbs.* weight of brass, value 4*s.* 6*d.*, the goods of Richard Evered, well knowing it to have been stolen; against the Statute, &c.

RICHARD EVERED. I missed this piece of brass (*looking at it*) on the 22nd of October.

Cross-examined by MR. CLARKSON. Q. You received information which induced you to look over your brass? A. Yes—I had put some to be worked on the 22nd of October, and missed this, and in the afternoon I accused Ashley of having taken it—he at first denied it—I told him if he continued to deny it I would send for a policeman—he again denied knowing any thing about it—I then said, if he would admit where he took it I would not prosecute him, and then he said he took it to Mrs. Fisher.

ARTHUR ASHLEY. I saw this piece of brass in Mr. Evered's shop—I had taken it out of Mr. Lambert's cart, and put it into the shop—it was then in a sheet—it was cut into strips, one half was taken and used, and the other was put by—I then took this piece away to Mrs. Fisher's, I put it in the scale, she weighed it, and put it on one side—there were 5*lbs.* weight of it—she gave me 1*s.* 3*d.* for it.

Cross-examined. Q. Did you know the value of it? A. No—I have said that whether it was 1*s.* 3*d.* or more I got I could not tell, but I know now that it was 1*s.* 3*d.*

NOT GUILTY.

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